
தமிழ்நாடு சட்டமன்றப் பேரவை
TAMIL NADU LEGISLATIVE ASSEMBLY
வாய்மையே வெல்லும்
TRUTH ALONE TRIUMPHS

46

1929

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

THIRD SESSION OF THE THIRD LEGISLATIVE COUNCIL

Vol. XLVIII (Nos. 1 to 13)

CONTENTS

CONTENTS

PAGES

Monday, the 25th March 1929.

Tuesday, the 26th March 1929.

Wednesday, the 27th March 1929.

PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency the Rt. Hon. *Viscount* GOSCHEN OF HAWKHURST, G.C.I.E., C.B.E. Took his seat on 14th April 1924.

Members of the Executive Council.

1. The hon. Sir NORMAN MARJORIBANKS, K.C.I.E., C.S.I., I.C.S., Member in charge of Revenue. Took his seat on 27th December 1924 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Land Revenue administration as described under the following heads, namely :—
    - (*a*) Assessment and collection of land revenue.
    - (*b*) Maintenance of land records; survey for revenue purposes; records of rights.
    - (*c*) Laws regarding land tenures; relations of landlords and tenants; collection of rents.
    - (*d*) Court of Wards, encumbered and attached estates.
    - (*e*) Land improvement and agricultural loans.
    - (*f*) Colonization and disposal of crown lands.
    - (*g*) Management of Government estates.
    - (*h*) Panchayat forests.
2. Water-supplies, irrigation and canals, drainage and embankments; water storage and water power.
3. Inland waterways including shipping and navigation thereon.
4. Economic condition including wages and prices and famine-relief.
5. Land acquisition, excepting notifications under sub-section (1) of section 4 and declarations under sub-section (1) of section 6 of the Land Acquisition Act, 1894, where the public purpose referred to in the said sub-sections appertains to a transferred subject.
6. Development of mineral resources.
7. Protection of wild birds and animals.
8. Agency tracts.
9. Pounds and prevention of cattle trespass.
10. Elections for Indian and Provincial legislatures.
11. Fortnightly reports and preliminary special reports to the Government of India.
12. General service questions.
13. Provincial Gazetteers.
14. Office procedure.
15. Secretariat.
16. Yeomiahs, inams and hereditary pensions.
17. Matters of a general nature not allocated elsewhere.

II.—Central Subjects.

1. Geological survey.
2. Mineral development.
3. Botanical survey.
4. Survey of India.
5. Zoological survey.
6. Meteorology.
7. Census and Statistics.
8. All-India services.
9. Territorial changes.
10. Immovable property in possession of the Governor-General in Council.
11. Public Services Commission.
12. Reforms.

2. The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur, *Kt.*, Home Member. Took his seat on the 30th March 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Police, including Railway Police and C.I.D.
2. Regulation of betting and gambling.
3. Prevention of cruelty to animals.
4. Control of poisons.
5. Control of vehicles.
6. Control of dramatic performances and cinematographs.
7. Control of newspapers, books and printing presses.
8. Laccadives.
9. European vagrancy.
10. European and Anglo-Indian education.
11. Regulation of medical and other professional qualifications and standards.
12. Government Houses ; Staff and equipment of His Excellency the Governor.
13. Stationery and Government Presses.
14. Industrial matters included under the following heads :—
    - (*a*) Factories.
    - (*b*) Settlement of labour disputes.
    - (*c*) Boilers.
    - (*d*) Gas.
    - (*e*) Smoke nuisances.
    - (*f*) Welfare of labour including depressed classes.
15. Criminal tribes.

II.—Central Subjects.

1. Control of petroleum and explosives.
2. Central police organization.
3. Arms and ammunition.
4. Emigration and immigration.
5. Pilgrimage to the Hedjaz.

3. The hon. Mr. T. E. MOIR, C.S.I., C.I.E., I.C.S., Finance Member. Took his seat on 27th April 1925 and is in charge of the following portfolios :—

I.—Provincial Subjects.

1. Provincial finance.
2. Pensions.
3. Local Fund audit.
4. Preservation and translation of ancient manuscripts.
5. Central Record office.

II.—Central Subjects.

1. (*a*) Defence of India.
   (*b*) Naval and Military works and cantonments.
2. External relations, including naturalization and aliens and pilgrimage beyond India except to the Hedjaz.
3. Relations with States in India.
4. Political charges.
5. Communications.
6. Posts and telegraphs and telephones, including wireless installations.
7. Sources of all-India revenues.
8. Currency and coinage.
9. Public debt of India.
10. Savings banks.
11. Indian Audit Department.
12. Commerce, including banks and insurance.
13. Trading companies and other associations.
14. Opium (central questions regarding—).
15. Central research.
16. Ecclesiastical.
17. Archæology.
18. Regulation of ceremonials, titles, order of precedence and civil uniform.
19. Subjects not allocated elsewhere.

4. The hon. Diwan Bahadur M. Krishnan Nayar, Law Member. Took his seat on 25th April 1928 and is in charge of the following portfolios:—

I.—Provincial Subjects.

1. Administration of justice, including constitution, powers, maintenance and organization of courts of civil and criminal jurisdiction within the province.
2. Provincial law reports.
3. Administrator-General and Official Trustees.
4. Escheats.
5. Coroners.
6. Treasure trove.
7. Non-judicial and judicial stamps.
8. Prisons and prisoners.
9. Industrial matters included under the following head: Electricity, including hydro-electric schemes.
10. Forests (including cinchona) except panchayat forests.
11. Minor ports.

II.—Central Subjects.

1. Civil law.
2. Inventions and designs.
3. Copyright.
4. Criminal law.
5. Major ports.
6. Shipping and navigation.
7. Lighthouses.
8. Port quarantine and marine hospitals.

Ministers.

1. The hon. Dr. P. SUBBARAYAN. Took his seat on 4th December 1926 and is in charge of the following portfolios :—

(1) Education (other than European and Anglo-Indian education).
(2) Libraries, Museums and Zoological Gardens.
(3) Light and feeder Railways and Tramways within municipal areas.
(4) Local Self-Government including village panchayats.
(5) Religious and Charitable Endowments.

2. The hon. Mr. S. MUTHIAH MUDALIYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :—

(1) Adulteration of foodstuffs and other articles.
(2) Excise.
(3) Registration.
(4) Medical administration.
(5) Pilgrimages within British India.
(6) Public health and sanitation and vital statistics.
(7) Weights and measures.

3. The hon. Mr. M. R. SETURATNAM AYYAR. Took his seat on 16th March 1928 and is in charge of the following portfolios :—

(1) Agriculture.
(2) Civil Veterinary Department.
(3) Co-operative societies.
(4) Development of industries.
(5) Public Works (buildings, roads, ferries, ropeways, etc.).
(6) Fisheries.

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Rao Bahadur C. V. S. Narasimha Raju Garu, B.A., B.L.

Deputy President.

Dr. (Mrs.) S. Muthulakshmi Reddi.

Panel of Chairmen.

Mr. Abdul Hameed Khan.
Diwan Bahadur S. Kumaraswami Reddiyar.
Mr. T. C. Srinivasa Ayyangar.
Mr. V. I. Muniswami Pillai.

Secretary to the Council.

M.R.Ry. Rao Bahadur R. V. Krishna Ayyar Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. D. K. Venkataraghava Varma Garu, B.A., B.L.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name and class of constituency.
1. Abdul Hameed Khan Sahib Bahadur.	Madras City, Muhammadan Urban.
2. Abdul Hye Sahib Bahadur, K.	Ceded Districts, Muhammadan Rural.
3. Abdul Razack Sahib Bahadur, Khan Bahadur S. K.	North Arcot *cum* Chingleput, Muhammadan Rural.
4. Abdul Wahab Sahib Bahadur, Munshi.	Northern Circars, Muhammadan Rural.
5. Adinarayana Chettiyar, Bar.-at-Law, T.	North Arcot, N.-M. Rural.
6. Anjaneyulu, P.	Guntur, N.-M. Rural.
7. Appavu Chettiyar, C. D. ...	Salem, N.-M. Rural.
8. Ari Gowder, H. B.	The Nilgiris, N.-M. Rural.
9. Arogyaswami Mudaliyar, Diwan Bahadur R. N.	Central Districts (Indian Christian).
10. Arpudaswami Udayar, S. ...	Tanjore and Trichinopoly *cum* Madura (Christian).
11. Basheer Ahmad Sayeed Sahib Bahadur.	Central Districts, Muhammadan Rural.
12. Bhaktavatsulu Nayudu, P. ...	Madras City, N.-M. Urban.
13. Bhanoji Rao, A. V.	Vizagapatam City, N.-M. Urban.
14. Bheemayya, J.	NOMINATED.
15. Biswanath Das Mahasayo, Sriman.	Ganjam, N.-M. Rural.
16. Chidambaranatha Mudaliyar, T. K.	Tinnevelly, N.-M. Rural.
17. Cotton, C.I.E., I.C.S., C. W. E.	NOMINATED.
18. Davis, J. A.	Anglo-Indian.
19. Dorai Raja, S. N.	NOMINATED.
20. Ellappa Chettiyar, Rao Bahadur S.	Salem, N.-M. Rural.
21. Ethirajulu Nayudu, Diwan Bahadur P. C.	Guntur, N.-M. Rural.
22. Foulkes, R.	NOMINATED.
23. Gangadhara Siva, M. V. ...	NOMINATED.
24. Gnanavaram Pillai, P. J. ...	NOMINATED.
25. Gopala Menon, C.	Southern India Chamber of Commerce.
26. Govindaraja Mudaliyar, C. S. ...	Madras City, N.-M. Urban.
27. Guruswami, Rao Sahib L. C. ...	NOMINATED.
28. Hampayya, Rai Sahib M. ...	NOMINATED.
29. Harisarvottama Rao, G. ...	Kurnool, N.-M. Rural.
30. Hearson, H. F. P.	Madras Chamber of Commerce.
31. Hilton Brown, I.C.S.	NOMINATED.
32. James, F. E.	Madras Planters—Planting.

Name of member.	Name and class of constituency.
33. John, V. Ch.	Northern Districts (Indian Christian).
34. Kaleswara Rao, A.	Kistna, N.-M. Rural.
35. Kameswara Rao Nayudu, V. ...	Ganjam, N.-M. Rural.
36. Karant, K. R.	South Kanara, N.-M. Rural.
37. Kesava Pillai, C.I.E., Diwan Bahadur P.	Anantapur, N.-M. Rural.
38. Khadir Mohidin Sahib Bahadur, Muhammad.	East Coast, Muhammadan Rural.
39. Khalif-ul-lah Sahib Bahadur, Khan Bahadur P.	Madura and Trichinopoly *cum* Srirangam, Muhammadan Urban.
40. Koti Reddi, Bar.-at-Law, K. ...	Cuddapah, N.-M. Rural.
41. Krishnan, K.	NOMINATED.
42. Krishnan Nayar, The hon. Diwan Bahadur M.	EX OFFICIO.
43. Krishnaswami Ayyar, Mr. Alladi.	NOMINATED.
44. Krishnaswami Nayakar, K. V.	Chingleput, N.-M. Rural.
45. Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendra Bahadur Varu).	Nellore, N.-M. Rural.
46. Kumaraswami Reddiyar, Diwan Bahadur S.	Tinnevelly, N.-M. Rural.
47. Kuppuswami, J.	Guntur, N.-M. Rural.
48 Madhavan Nayar, K.	Malabar, N.-M. Rural.
49. Maharaja of Venkatagiri, K.C.I.E., Capt. Sir the (Raja Velugoti Sri Govinda Krishna Yachendrulavaru).	North Central Landholders.
50. Mahmud Schamnad Sahib Bahadur.	South Kanara, Muhammadan Rural.
51. Mallayya, B. S.	Madras City, N.-M. Urban.
52. Manikkavelu Nayakar, M. A. ...	North Arcot, N.-M. Rural.
53. Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.	EX OFFICIO.
54. Marudavanam Pillai, C. ...	Tanjore, N.-M. Rural.
55. Meera Ravuttar Bahadur, K. P. V. S. Muhammad.	Madura *cum* Trichinopoly, Muhammadan Rural.
56. Moidoo Sahib Bahadur, Khan Sahib, T. M.	Malabar, Muhammadan Rural.
57. Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.	EX OFFICIO.
58. Muniswami Nayudu, Rao Bahadur B.	Chittoor, N.-M. Rural.
59. Muniswami Pillai, V. I. ...	NOMINATED.
60. Muppil Nayar of Kavalappara *alias* Kumaran Raman.	West Coast Landholders.
61. Murugappa Chettiyar, Diwan Bahadur A. M. M.	Ramnad, N.-M. Rural.
62 Muthiah Mudaliyar, The hon. Mr. S. (*Minister*).	Tanjore, N.-M. Rural.

	Name of member.	Name and class of constituency.
63.	Muthulakshmi Reddi, Dr. (Mrs.) (*Deputy President*).	NOMINATED.
64.	Muthuranga Mudaliyar, C. N.	Chingleput, N.-M. Rural.
65.	Nagan Gowda, R.	NOMINATED.
66.	Nanjappah 'Bahadur', Subadar-Major S. A.	NOMINATED.
67.	Narasimha Raju, The hon. Rao Bahadur C. V. S. (*President*).	Vizagapatam, N.-M. Rural.
68.	Narayana Raju, D.	Godavari West, N.-M. Rural.
69.	Narayana Rao, Mothay ...	Godavari West, N.-M. Rural.
70.	Narayanan Chettiyar, Al. Ar....	Nattukkottai Nagarathars' Association.
71.	Narayanan Nambudripad, Rao Bahadur O. M.	NOMINATED.
72.	Narayanaswami Pillai, T. M. ...	Trichinopoly, N.-M. Rural.
73.	Obi Reddi, C.	Anantapur, N.-M. Rural.
74.	Parasurama Rao Pantulu, A. ...	Cuddapah, N.-M. Rural.
75.	Parthasarathi Ayyangar, C. R.	Chittoor, N.-M. Rural.
76.	Patro, *Kt.*, Rao Bahadur Sir A. P.	Ganjam, N.-M. Rural.
77.	Premayya, G. R. ...	NOMINATED.
78.	Raja of Jeypore (Maharaja Sri Ramachandra Deo).	NOMINATED.
79.	Rajan, P. T.	Madura, N.-M. Rural.
80.	Ramachandra Padayachi, K. ...	South Arcot, N.-M. Rural.
81.	Ramachandra Reddi, B. ...	Nellore, N.-M. Rural.
82.	Raman Menon, K. P. ...	Malabar N.-M. Rural.
83.	Ramanath Goenka	NOMINATED.
84.	Ramasomayajulu, C.	Cocanada City, N.-M. Urban.
85.	Ramaswami Ayyar, U. ...	Trichinopoly *cum* Srirangam, N.-M. Urban.
86.	Ramjee Rao, V.	NOMINATED.
87.	Ranganatha Mudaliyar, A. ...	Bellary, N.-M. Rural.
88.	Ratnasabhapati Mudaliyar, Rao Bahadur C. S.	Coimbatore, N.-M. Rural.
89.	Robertson, R. J. C. ...	Madras Trades Association.
90.	Sahajanandam, Swami A. S. ...	NOMINATED.
91.	Saldanha, J. A.	West Coast, Indian Christian.
92.	Sami Venkatachalam Chetti ...	Madras City, N.-M. Urban.
93.	Sarabha Reddi, K.	Kurnool, N.-M. Rural.
94.	Satyamurti, S.	Madras University.
95.	Seturatnam Ayyar, The hon. Mr. M. R. (*Minister*).	Trichinopoly, N.-M. Rural.
96.	Shetty, A. B.	South Kanara, N.-M. Rural.
97.	Sitarama Reddi, Rao Bahadur K.	South Arcot, N.-M. Rural.
98.	Siva Raj, N.	NOMINATED.
99.	Siva Rao, P.	Bellary, N.-M. Rural.
100.	Sivasubrahmanya Ayyar, K. S.	Tanjore, N.-M. Rural.

Name of member.	Name and class of constituency.
101. Slater, C.I.E., I.C.S., S. H. ...	NOMINATED.
102. Soundarapandia Nadar, W. P. A.	NOMINATED.
103. Souter, I.C.S., C. A.	NOMINATED.
104. Srinivasa Ayyangar, R. ...	South Arcot, N.-M Rural.
105. Srinivasa Ayyangar, T. C. ...	Ramnad, N.-M. Rural.
106. Srinivasan, Rao Sahib R. ...	NOMINATED.
107. Subbarayan, The hon. Dr. P. (Zamindar of Kumaramangalam) (*Minister*).	South Central Landholders.
108 Subrahmanya Moopanar, S. ...	NOMINATED.
109. Subrahmanya Pillai, Chavadi K.	Tinnevelly *cum* Palamcottah, N.-M. Urban.
110. Swami, Bar.-at-Law, K. V. R.	East Godavari, N.-M. Rural.
111. Syed * Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.	Ramnad *cum* Tinnevelly, Muhammadan Rural.
112. Tajudin Sahib Bahadur, Syed ...	Tanjore, Muhammadan Rural.
113. Tampoe, I.C.S., A. McG. C. ...	NOMINATED.
114. Thomas, Daniel	Ramnad *cum* Tinnevelly, Indian Christian.
115. Tulasiram, L. K.	Madura City, N.-M. Urban.
116. Uppi Sahib Bahadur, K. ...	Malabar, Muhammadan.
117. Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.	EX OFFICIO.
118. Vanavudaiya Goundar, S. V. ...	Coimbatore, N.-M. Rural.
119. Venkatapati Raju, P. C. ...	Vizagapatam, N.-M. Rural.
120. Venkatarama Ayyar, K. R. ...	Madura, N.-M. Rural.
121. Venkataramana Ayyangar, C. V.	Coimbatore, N.-M. Rural.
122. Venkatarangam Nayudu, C. ...	North Arcot, N.-M. Rural.
123. Venkataratnam, B.	East Godavari, N.-M. Rural.
124. Venkiah, S.	NOMINATED.
125. Watson, I.C.S., H. A.	NOMINATED.
126. Wood, C. E.	Madras Chamber of Commerce.
127. Wright, W. O.	European.
128. Zamindar of Gollapalli (Srimannarayana Appa Rao Bahadur Garu, Meka).	Northern Landholders, II.
129. Zamindar of Kallikota (Sri Ramachandra Mardaraja Deo).	Northern Landholders, I.
130. Zamindar of Mirzapuram (Mirzapuram Raja Garu alias Venkataramayya Appa Rao Bahadur Garu).	Kistna, N.-M. Rural.
131. Zamindar of Seithur (Vadamalai Tiruvanatha Sevuga Pandiya Tevar Avargal).	Madura, N.-M. Rural.
132. Zamindar of Singampatti (T. N. Sivasubramaniya Tevar Thirthapathi).	Southern Landholders.

* Resigned his seat and by-election ordered in G.O. No. 153, Law (Legislative), dated 19th March 1929.

SPECIAL MEMBERS.

133. Cunningham, C. B.	NOMINATED for the Bill to suppress Brothels and Immoral Traffic and for the Bill further to amend the Madras City Police Act, 1888.
134. Narayanaswami Chetti, Diwan Bahadur G.	NOMINATED for the Bill further to amend the Madras City Police Act, 1888.



THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Official Report.

Third Session of the Third Legislative Council under the Government of India Act, 1919.

VOLUME XLVIII.

Tuesday, the 12th March 1929.

The House met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. Narasimha Raju Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon. Mr. T. E.
Krishnan Nayar, The hon. Diwan Bahadur M.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Hameed Khan Sahib Bahadur.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
Adinarayana Chettiyar, Bar.-at-Law, Mr. T.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsulu Nayudu, Mr. P.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Chidambaranatha Mudaliyar, Mr. T. K.
Cotton, C.I.E., I.C.S., Mr. C. W. E.
Dorai Raja, Mr. S. N.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. C.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
James, Mr. F. E.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Krishnan, Mr. K.
Krishnaswami Ayyar, Mr. Alladi.
Krishnaswami Nayakar, Mr. K. V.
Kumara Raja of Venkatagiri (Raja Velugoti Sarvagnya Kumara Krishnayachendra Bahadur Varu).
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppuswami, Mr. J.
Madhavan Nayar, Mr. K.
Mahmud Schamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Moidoo Sahib Bahadur, Khan Sahib T. M.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Muppil Nayar of Kavalappara *alias* Kumaran Raman.
Muthulakshmi Reddi, Dr. (Mrs.) S. (*Deputy President*).
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayana Rao, Mr. Motbay.
Narayanaswami Pillai, Mr. T. M.
Parasurama Rao Pantulu, Mr. A.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Rajan, Mr. P. T.
Ramachandra Reddi, Mr. B.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ramaswami Ayyar, Mr. U.
Ranganatha Mudaliyar, Mr. A.
Robertson, Mr. R. J. C.
Sahajanandam Swami, Mr. A. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Siva Raj, Mr. N.
Siva Rao, Mr. P
Slater, C.I.E., I.C.S., Mr. S. H.
Soundara Pandia Nadar, Mr. W. P. A.
Souter, I.C.S., Mr. C. A.
Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Sahib R.
Subrahmanya Moopanar, Mr. S.
Swami, Bar.-at-Law, Mr. K. V. R.

PRESENT—*cont.*

Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG. C.
Tulasiram, Mr. L. K.
Vanavudaiya Gounder, Mr. S. V.
Venkatapathi Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wood, Mr. C. E.
Wright, Mr. W. O.
Zamindar of Gollapalli.
Zamindar of Kallikota.
Zamindar of Mirzapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Local Boards

Constitution of the Hosur Taluk Board.

*1697 *Q.*—Mr. BASHEER AHMAD SAYEED: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) what the total strength of the taluk board of Hosur is; and

(*b*) how many of them are Muslims and what proportion of them (Muslims) was returned by election and nomination respectively?

A.—(*a*) Twenty.

(*b*) Three; two elected and one nominated.

Mr. ABDUL HAMEED KHAN:—"May I know from the hon. the Chief Minister the number of Muslim members that were nominated last year?"

The hon. Dr. P. SUBBARAYAN:—"I am afraid I must ask for notice."

Alleged assistance rendered by the Chingleput District Board High School Headmasters to the Self-Respect Conference held in Chingleput.

* 1698 *Q.*—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether it is a fact that the headmasters of the Board High Schools in Chingleput enrolled among students volunteers for the Self-Respect Conference in Chingleput;

(*b*) whether the headmasters acted under instructions from the President of the District Board;

(*c*) whether the Government approve of the alleged action by the headmasters; and

(*d*) whether the Government will call for a report and place it on the Council table?

A.—(*a*), (*b*), (*c*) & (*d*)—No.

Mr. C. N. MUTHURANGA MUDALIYAR:—"I see that the answer to clause (*d*) is 'no.' Am I to understand that the Government will not call for a report, or that the Government did not call for a report? If no report was called for, may I know how the Government were able to answer the other clauses of the question?"

The hon. Dr. P. SUBBARAYAN:—"We had called for a report; the President has denied all the allegations made by the hon. Member."

12th March 1929]

Mr. ABDUL HAMEED KHAN :—" The Government replied first of all that they had no information and that they had called for the same. Subsequently they changed their mind and say now that the Government will not call for a report ? "

The hon. Dr. P. SUBBARAYAN :—" No such thing happened."

Mr. S. SATYAMURTI :—" With reference to answer (*a*), may I know whether the Government made enquiries from the headmasters themselves apart from the President, District Board ? "

The hon. Dr. P. SUBBARAYAN :—" The only channel of communication between the Government and the Board is the President of the District Board."

Mr. S. SATYAMURTI :—" May I know if the Government cannot make this enquiry through the District Collector ? "

The hon. Dr. P. SUBBARAYAN :—" I do not think there is any necessity for any such enquiry."

Mr. ABDUL HAMEED KHAN :—" May I know whether the Government will make an enquiry through the Educational authorities of the district ? "

The hon. Dr. P. SUBBARAYAN :—" As I said before, I do not think there is any necessity for any such enquiry."

Mr. T. ADINARAYANA CHETTIYAR :—" Will the hon. the Minister call upon the President, District Board, to move the Educational authorities to make the necessary enquiries ? "

The hon. Dr. P. SUBBARAYAN :—" There is no necessity for it. The allegations are against the President of the District Board, which are denied."

Mr. T. ADINARAYANA CHETTIYAR :—" Will the Government be pleased to publish at least the reply of the District Board President ? "

The hon. Dr. P. SUBBARAYAN :—" The reply is a mere negative."

Mr. S. SATYAMURTI :—" With reference to the supplementary answer given by the hon. Minister that there is no such necessity, may I know whether they think so because the facts are not proved or because they think it is perfectly open to headmasters of Board schools to enlist volunteers for the Conference ? "

The hon. Dr. P. SUBBARAYAN :—" It is because the Government think that the facts are not proved."

Mr. P. ANJANEYULU :—" In view of the fact that the allegations are made by an hon. Member of this House, may I ask whether the hon. the Chief Minister will make an enquiry of the President, District Board, regarding these allegations ? "

The hon. Dr. P. SUBBARAYAN :—" I have already stated that, in my opinion, there is no need for any enquiry."

[12th March 1929

Conduct of elections by outgoing Presidents of District Boards.

* 1699 *Q.*—Mr. R. NAGAN GOWDA: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) in how many of the District Boards, the President whose term was expiring conducted the election of the President for the ensuing period;

(*b*) in how many of such cases the President for the expiring period also stood as a candidate;

(*c*) in how many of the above cases the President for the expiring period was re-elected; and

(*d*) whether the Government are aware of any reasons for the re-election of Presidents of expiring periods?

A.—(*a*) The Government have no information on the point in respect of the elections of presidents of district boards held prior to January 1927. Since January 1927 elections have been held in nine cases before the terms of the outgoing presidents expired. The Government have no information whether in these cases the outgoing president arranged the preliminaries for the election. In all these cases except one where information is not available on the point the meetings held for the elections were not presided over by the outgoing president.

(*b*) In eight cases excluding the one referred to in the answer to clause (*a*) for which information is not available.

(*c*) In seven cases.

(*d*) The Government have had no occasion to consider the question.

Mr. S. SATYAMURTI :—" With reference to the answer to this question, may I know whether the Government contemplate the amendment of the Local Boards Act or whether there is any proposal to prevent these District Board Presidents resigning before their term expires and from conducting the elections before their term expires? "

The hon. Dr. P. SUBBARAYAN :—" Yes; that is a matter which is being dealt with."

Trifurcation of Rajahmundry Taluk Board.

* 1700 *Q.*—Mr. K. V. R. SWAMI: Will the hon. the Minister for Education and Local Self-Government be pleased to state with reference to question No. 673 answered on 26th November 1928—

(*a*) whether the report called for from the President, District Board, East Godavari, in November 1927 on the question of trifurcation of Rajahmundry Taluk Board has been received;

(*b*) for how long this question has been under consideration; and

(*c*) whether the Government have arrived at any decision on the question?

A.—(*a*), (*b*) & (*c*) The President has not yet submitted the report.

Mr. K. V. R. SWAMI :—" It is stated that the President has not yet submitted the report. May I know for how long this question has been under the consideration of the Government? "

The hon. Dr. P. SUBBARAYAN :—" We cannot act without getting the report from the President, District Board."

12th March 1929]

Mr. K. V. R. SWAMI :—"I am asking the hon. the Minister whether the President was asked to expedite the matter, and for how long this question has been under the consideration of the Government?"

The hon. Dr. P. SUBBARAYAN :—"There is no question of this matter being under the consideration of the Government. The Government have asked for a report from the President, District Board. It has not yet been received by the Government."

Mr. K. V. R. SWAMI :—"May I ask whether this question has been under the consideration of the Government from the year 1920?"

The hon. Dr. P. SUBBARAYAN :—"I am not sure, Sir."

Mr. C. RAMASOMAYAJULU :—"May I know, Sir, if the Government sent a reminder to the District Board President to submit the report as early as possible which was called for in November 1927?"

The hon. Dr. P. SUBBARAYAN :—"The President was reminded about a fortnight ago."

Mr. C. RAMASOMAYAJULU :—"Why so late? May I ask if the reminder was sent only in 1929 when the report was called for in November 1927?"

The hon. Dr. P. SUBBARAYAN :—"That is the last reminder; it does not mean that we did not remind him earlier."

Mr. D. NARAYANA RAJU :—"May I know whether the hon. the Minister will ask the President to expedite the matter before a certain date?"

The hon. Dr. P. SUBBARAYAN :—"We cannot compel Presidents, because they are non-official gentlemen."

Mr. K. V. R. SWAMI :—"May I know if the Minister is at the disposal of the President and whether the hon. Minister cannot act in the manner suggested?"

The hon. Dr. P. SUBBARAYAN :—"There is no question of any Minister being at the disposal of any district board president whatever."

Mr. P. ANJANEYULU :—"May I know whether this President was asked to submit his report for the first time?"

The hon. Dr. P. SUBBARAYAN :—"Notice, Sir."

Municipal Councils

Nomination of Mr. Venugopala Pillai to the Chidambaram Municipal Council.

* 1701 Q.—Mr. BASHEER AHMAD SAYEED : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether at the time of the nomination of Mr. Venugopala Pillai to the Chidambaram Municipal Council, any other names for nomination to the Municipal Council were recommended by the Chairman of the Municipality and the District Collector;

(b) if so, how many and whose names were recommended; and

(c) how many applied to the hon. Minister direct and what are their names?

A.—(*a*) & (*b*) No.

(*c*). It is difficult to say how many persons applied for such nomination, as many people applied orally or in person and there is no record of their names.

Mr. ABDUL HAMEED KHAN :—" May I know if the Chairman did not send any other names besides that of Mr. Venugopal Pillai? "

The hon. Dr. P. SUBBARAYAN :—" No name was submitted by anybody."

Religious and Charitable Endowments

Utilization of temple properties for technological studies.

* 1702 *Q.*—Mr. A. KALESWARA RAO : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(*a*) whether the First Provincial Self-Respect Conference held at Chingleput communicated to Government resolutions to the effect that the income and properties of the existing temples and mutts should be utilized for the promotion of technological studies, vocational education and industrial research, that not a single pie or single pie's worth of material should be used in the cause of worship in the temple, that no priest or intermediary between the worshipper and the worshipped should be employed, and that celebrations of festivals in temples ought to be immediately put a stop to ;

(*b*) whether the Government intend to introduce an amending Bill to the Madras Religious Endowments Act on those lines ; and

(*c*) what action the Government intend to take on those resolutions ?

A.—No such resolutions have been received.

Mr. A. KALESWARA RAO :—" May I know if the hon. the Chief Minister opened the Self-Respect Conference ? "

The hon. Dr. P. SUBBARAYAN :—" I did. "

Mr. A. KALESWARA RAO :—" May I know whether he is aware of this resolution being passed ? "

The hon. Dr. P. SUBBARAYAN :—" I am aware of the resolution because I read of it in the papers."

Mr. T. ADINARAYANA CHETTIYAR :—" With reference to answer (*c*), may I know whether it is not as a result of the passing of the resolution by the Self-Respect Conference, the hon. Minister has thought, *suo motu* of introducing any such amendment to the Act ? "

The hon. Dr. P SUBBARAYAN :—" Not that I am aware of."

Town-planning

Town-planning schemes started by municipalities.

* 1703 *Q.*—Mr. J. A. SALDANHA : With reference to my question No. 848 answered on 29th November 1928, will the hon. the Minister for Education and Local Self-Government be pleased (i) to place before the House a statement showing the several town-planning and improvement schemes started on the initiative of municipalities under section 8 of Town-Planning Act or under the direction of Government under section 12 of the same Act and (ii) to state—

(*a*) in what manner owners have been consulted under section 11 in the case of municipal schemes under section 8 ; and

12th March 1929]

(*b*) whether the procedure required by section 11 has been insisted upon by Government in the case of schemes under section 12 and if not, on what grounds?

A.—(i) A statement [a] showing the town-planning schemes is placed on the table. Provisions of sections 8 to 12 do not apply to town improvement schemes which are undertaken under section 6 (1) of the Town-Planning Act, 1920.

(ii) (*a*) An extract from the rules issued by the Government under section 44 of the Town-Planning Act, 1920, in this regard is placed on the table. The Government have no reason to suppose that these rules have not been observed.

(*b*) The wording of section 12 clearly indicates that the procedure prescribed in sections 9 to 11 need not be followed in the case of schemes called for under that section.

Mr. J. A. Saldanha :—"The Government state that they have no reason to suppose that these rules have not been observed. I do not think it is a correct statement . . ."

The hon. the President :—"The hon. Member will have to take some other opportunity to make his assertions; I cannot allow the hon. Member to do so during question time."

Mr. J. A. Saldanha :—"I may say that that observation . . ."

The hon. the President :—"The hon. Member will kindly resume his seat."

Forests

Execution of working plans by the Forest Department.

*1704 *Q.*—Mr. J. A. Saldanha : Will the hon. the Law Member be pleased to state—

(*a*) whether a survey or collection of statistics in regard to the approximate number of timber trees, fuel trees, etc., in the reserved forests of the Madras Presidency has ever been made, and if so, when and with what results;

(*b*) what steps have been taken to remedy the defects as to the preparation and carrying out of the working plans, regeneration and sylviculture noted in the Forest Department Administration Report for 1926-27; and

(*c*) whether Government have considered the advisability of entrusting the work to each conservator instead of entrusting it to one working plans' conservator for all the circles with their varied conditions?

A.—(*a*) No attempt has ever been made to ascertain the approximate number of timber trees, fuel trees, etc., in the reserved forests nor is it possible to do so.

(*b*) The steps taken to remedy the defects in the preparation and carrying out of the working plans are—

(1) The preparation of important working plans is entrusted to the regular working plans staff.

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a Printed as Appendix I on pages 79–81 infra.

[12th March 1929

(2) Control records of all working plans are being scrutinized by the Working Plans Conservator. This officer has recently issued a circular to all the other Conservators giving instructions for the preparation and checking of control returns, etc.

(c) The working plans circle was formed with the main object of doing away with the suggested procedure which had been in force for years with the results referred to in item (b) of the question.

Mr. J. A. SALDANHA :—" With reference to (b), may I enquire whether in former times, no regeneration or working plans were prepared at all in different circles ? There are five circles and under each circle there are many districts."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" As far as I can say, yes."

Mr. K. MADHAVAN NAYAR :—" May I know whether the Chenat Nair Forest area worked on the working plan system ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice."

Working of the saw-mills under Government.

* 1705 Q.—Mr. J. A. SALDANHA : Will the hon. the Law Member be pleased to place before the House a statement showing—

(a) the several saw-mills established by Government in the Forest department ;

(b) what establishment is employed in connexion with each of the saw-mills and its cost per annum ;

(c) what the estimates of receipts and expenditure are in connexion with each for 1928–29 ;

(d) what the profits and losses from a commercial point of view have been up to the close of the first six months of the year 1928–29 ; and

(e) whether it has been found more profitable by selling the timber from reserved forests to private individuals instead of sawing the timber at Government saw-mills ?

A.—(a) The saw mills established by Government in the Forest Department are as follows :—

(1) Olavakkot Saw Mill, Chenat Nair Commercial concern.
(2) Beypore Saw Mill, Nilambur Commercial concern.
(3) Top Slip Saw Mill, Mount Stuart Commercial concern.
(4) Chedleth Saw Mill, Wynaad Division.
(5) Parappa Saw Mill, South Mangalore Division.

(b) The establishment employed in connexion with each of the saw mills and its annual cost is given in Annexure A [a].

(c) The estimates of receipts and expenditure in connexion with each for 1928–29 are furnished in Annexure B [a].

(d) The audit reports for the first half of 1928–29 have not yet been received. These half-yearly reports do not, however, show the profit or loss as these are dealt with only at the end of the year in the annual audit reports.

[a] Printed as Appendix II on pages 82–85 infra.

(e) A direct answer cannot be given as circumstances vary in each area, the experiments with the portable saw mills have been inaugurated with a view to finding the answer to this question and it cannot therefore be answered until these experiments are completed.

Mr. J. A. SALDANHA :—" With reference to the profit shown in the statement which is printed as appendix, may I enquire whether it is a fact that these profits are deficient in this way? The Forest department sells timber at a rate which is below the market price . . ."

The hon. the PRESIDENT :—" The hon. Member is arguing the point."

Mr. J. A. SALDANHA :—" May I know whether it is a fact that the profits are shown by the Forest department by selling the forest produce . . ."

The hon. the PRESIDENT :—" That is asking for an opinion."

Dr. B. S. MALLAYYA :—" With reference to Annexure B of Appendix II stating that the expenditure is Rs. 27,900 and the receipt is Rs. 81,000, may I know whether that is the money realized by the sale of timber? I should like to know from the hon. the Revenue Member whether this money could not have been realized by selling timber to the local saw mill that is there, whether the Government would not have realized the same amount of money shown there as money accrued to the Government by the sale of timber that is cut by this saw mill, when the expenditure for cutting the timber comes to Rs. 27,900? Are the Government aware that there is a local mill that is prepared to buy this timber? May I know if the Government cannot sell the timber without cutting it, so that the Government can realize more money?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not able to follow my hon. Friend's question."

Dr. B. S. MALLAYYA :—" May I know whether the hon. Member is aware that a private saw mill applied to the Government for help on condition that they would take over all the timber which the Government can send to it from the Government mills?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not aware, Sir."

Mr. J. A. SALDANHA :—" May I enquire whether it is not a fact that the Forest department sells timber to the saw mills at the rate of about 10 annas per cubic foot, whereas they can get much more in the market, viz., Rs. 2-8-0?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No, Sir."

Alleged memorials from Forest Rangers for increase of pay.

*1706 Q.—Mr. K. V. R. SWAMI : Will the hon. the Law Member be pleased to state—

(a) whether any action has been taken on the memorial submitted to the Government by forest rangers for increase of pay referred to in question No. 250 answered on 8th September 1928; and

(b) if so, what it is?

A.—(a) & (b) The matter is still under consideration.

[12th March 1929

State Prisoners

List of persons connected with the Malabar rebellion against whom cases are still pending.

* 1707 *Q.*—Mr. K. MADHAVAN NAYAR : Will the hon. the Law Member be pleased to state—

(*a*) whether the Government will publish a complete list of all persons against whom cases connected with the Malabar rebellion are pending ;

(*b*) whether the Government are prepared to consider the question of granting a general amnesty to all persons who have not been proceeded against so far and who are guilty only of offences other than murder ; and

(*c*) whether the Government will publish a complete list of all the persons whom they intend to proceed against in future under the ordinary law or special laws for anything done by them in connexion with the rebellion ?

A.—(*a*) The Government have not an up-to-date list but have called for one.

(*b*) The Government are not prepared to pass any general orders on the question.

(*c*) The Government do not consider it desirable to publish such a list.

Mr. K. MADHAVAN NAYAR :—" With reference to answer (*c*) that the Government do not consider it desirable to publish such a list, may I know whether there are any persons against whom the Government intend to proceed and, if so, how many approximately ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" There are many persons against whom the Government intend to proceed as indicated in the answer to clause (*a*)."

Mr. K. MADHAVAN NAYAR :—" May I know why the Government do not consider it desirable to publish the names of those persons even seven or eight years after the rebellion ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The circumstances of the case against each person have to be carefully considered by the district authorities and by the legal advisers of the Government."

Mr. S. SATYAMURTI :—" With reference to clause (*b*) of the question, may I know the reasons why the Government are not prepared to pass any general orders granting amnesty to all those persons who have not been proceeded with and who are guilty of offences other than murder ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because it will be dangerous to the public peace of the district of Malabar."

Mr. P. ANJANEYULU :—" With reference to the answer (*b*) that the Government are not prepared to pass any general orders, may I know whether they contemplate passing any special orders on special cases ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" As a matter of fact, many persons are released in batches."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know if the hon. the Law Member is aware that, by keeping this matter hanging for over eight years, it is likely that evidence will be manufactured against these people ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Many of these people have absconded."

Mr. A. KALESWARA RAO :—" May I know whether, giving them general amnesty and allowing them to return home after giving some security, it will be conducive to the happiness of several families and also of the public ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It would not be conducive to public peace."

Mr. G. HARISARVOTTAMA RAO :—" May I ask if the list is at any rate complete or if the list is being added to every day ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Certainly it is not being added to."

Mr. ABDUL HAMEED KHAN :—" May I know on what basis the hon. the Law Member says that it would not be in the interests of public peace to release these people ? " 11-15 a.m.

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because we get reports from the District Magistrate."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know when the list was last drawn up ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice, Sir."

Mr. S. SATYAMURTI :—" May I know when the last of these reports was received from the District Collector ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I think about one and a half months or two months ago."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know from the hon. the Law Member whether that list contains the name of an old woman of 80 years of age ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Can't say, Sir."

Emigration

Number of emigrants from this province.

* 1708 Q.—Mr. K. V. R. SWAMI : Will the hon. the Home Member be pleased to state—

(a) the number of males and females who have emigrated to other countries from this province in each of the last twenty years and the number that have returned home during the same period ; and

(b) the total number from this province that are still in other countries, —how many in each country ?

A.—As the hon. Member is aware, ' Emigration ' is a Central subject.

(a) The attention of the hon. Member is invited to the annual reports on Emigration and Immigration which have been placed on the Editors' Table.

(b) The Government have no information.

Mr. K. V. R Swami :—" May I know whether the Government will call for the information ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" The suggestion will be considered."

Police

Alleged arrest of Mr. Venkatappayya on 17th February 1929.

*1709 *Q.*—Mr. A. Kaleswara Rao : Will the hon. the Home Member be pleased to state whether the Government intend taking any action against the Police officials who arrested and kept in custody Mr. Venkatappayya and others on 17th February 1929 ?

A.—The answer is in the negative.

Mr. A. Kaleswara Rao :—" Does the hon. the Home Member think that the action of the Police was justified ? "

The hon. the President :—" What the hon. Member thinks is an opinion."

Mr. A. Kaleswara Rao :—" May I know why Government do not intend taking any action against the Police ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" Because nothing illegal was done—a view upheld by the Legislative Council by the failure of the adjournment motion."

Mr. C. Ramasomayajulu :—" May I know whether the Government will make enquiries in regard to the antecedents past and present of Mr. Venkatappayya ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" There is no necessity for Government to make any enquiries about antecedents."

Mr. C. Ramasomayajulu :—" May I know whether the Government have really taken into consideration the question whether the arrest is justifiable or not, and may I know whether the Government will investigate the matter ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" The question has already been answered."

Mr. Abdul Hameed Khan :—" Is it true that on account of these arrests the Assistant Commissioner of Police has been transferred ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" Not that I know of, Sir."

Mr. S. Satyamurti :—" May I know whether the attention of Government has been drawn to the statement of Mr. Venkatappayya, of the hon. Mr. V. Ramadoss Pantulu and others categorically denying the statement made by the hon. the Home Member on the floor of this House that they gave no such undertaking, and may I know whether the Government propose to take any action against the Police that arrested these people ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" I still maintain the answer that I gave the other day."

12th March 1929]

Mr. P. Anjaneyulu :—" May I know whether Government have taken the advice of their Legal Adviser before answering this question ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :— " No, Sir."

Mr. G. Harisarvottama Rao :—" May I know from the hon. the Home Member whether he is aware that Mr. Venkatappayya has all along been a man of peace and that it has been his creed ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :— " I do not know, Sir."

Mr. Abdul Hameed Khan :—" Is it true that the Assistant Commissioner of Police has been rewarded by the appointment of Superintendent of Police ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" I am not aware of it, Sir."

Mr. Abdul Hameed Khan :—" May I know whether he has not been appointed Deputy Superintendent of Police ? Is it true ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" I want notice."

Mr. P. Anjaneyulu :—" May I know from the hon. the Home Member, in view of the answer that he gave to Mr. Harisarvottama Rao that he does not know the antecedents of Mr. Venkatappayya, whether the Government will be pleased to make enquiries ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :— " There is no necessity for such an enquiry."

Alleged detention of Mr. N. Somayajulu at Tuticorin.

* 1710 Q.—Mr. A. Kaleswara Rao : Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that Mr. N. Somayajulu has been arrested and kept in jail without any warrant by the Police at Tuticorin while he was starting for Madras to attend the Simon Boycott demonstration ;

(b) whether it is a fact that he is still confined in jail without being informed of the case or charge against him ;

(c) whether the Government have given any instructions in this matter ; and

(d) whether the Government propose to take any action against the Police officials concerned for the action taken by them ?

A.—(a) & (b) The Government have no information but have called for it.

(c) No.

(d) The Government await the information called for in respect of clauses (a) and (b).

Mr. T. Adinarayana Chettiyar :—" May I know from the hon. the Home Member whether such detention was resorted to by the Police in other districts as in North Arcot ? "

The hon. the President :—" How is that relevant as a supplementary question to the answer given now ? "

[12th March 1929

Mr T. ADINARAYANA CHETTIYAR :—" The Government say that no instruction was issued, but how is it that simulteneously in several districts similar action was taken by the Police ?"

The hon. the PRESIDENT :—" That does not arise as a supplementary question."

Floods

Alleged obstruction of the flow of water in Thandava river by the anicuts constructed by the Godey estate.

* 1711 Q.—Mr. C. RAMASOMAYAJULU : Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the high flood in Tuni is mostly due to the obstruction of the flow of water through the bridge on the Thandava river on account of the two anicuts constructed by the Godey estate ;

(b) whether one of the anicuts was constructed within a distance of four furlongs from the bridge ; and whether the second was constructed within a year at a distance of one furlong from the bridge ;

(c) whether the said anicuts were constructed with a view to secure supply to an irrigation channel by the Godey estate ;

(d) whether the construction of the anicuts resulted in the accumulation of sand near the bridge and consequent heading up of water ; and

(e) what steps the Government propose to take with a view to improve the conditions ?

A.—(a) No. The floods were the direct result of abnormal rain in the Agency.

(b) One of the anicuts was constructed within a distance of four furlongs from the bridge, about ten years ago, and the second in 1927 at a distance of one furlong from the bridge.

(c) The anicuts were constructed with a view to supply water to two irrigation channels. The one nearer to the bridge irrigates seven villages in Vizagapatam district (Godey estate) and two in East Godavari district (Tuni estate). The second channel irrigates nine villages of the Vizagapatam district.

(d) The anicut immediately below the bridge has raised the rear flood level to a slight extent. The effect of the other is inappreciable.

(e) The Government have referred to the Chief Engineer the question whether any action can be taken to prevent or minimize the effects of floods in the river.

Mr. C. RAMASOMAYAJULU :—" With regard to the answer to clause (e) of the question, may I know if the Chief Engineer has submitted his report and, if so, whether it would be placed on the table of this House ? "

The hon. Sir NORMAN MARJORIBANKS :—" His report has not been submitted to Government."

Irrigation

Investigation of the scheme for the excavation of a high-level channel from above Kattalai.

*1712 Q.—Mr. T. M. NARAYANASWAMI PILLAI: Will the hon. the Member for Revenue be pleased to state—

(a) whether any orders have been issued subsequent to G.O. Mis. No. 54 I., dated 9th January 1929, abandoning the second item ordered in the said Government Order, viz., the investigation of a scheme to irrigate 50,000 acres in the Trichinopoly and Kulittalai taluks of the Trichinopoly district; and

(b) whether first part of the item No. 3 in the said order relates to the Kattalai bed regulator and the north bank channel?

A.—(a) & (b) In G.O. No. 235 I., dated 26th January 1929, the Government approved of the employment of a special subdivision to investigate the following schemes:—

(i) the restoration of the old course of the Uyyakondan channel;

(ii) the extension of the proposed high-level channel from the Kattalai South Bank canal beyond the point up to which it is now proposed to carry it;

(iii) the shifting of the head of the Thottiam Chinna voikal to a point two miles higher up the Cauvery to see if the needs of the lands irrigated by the Cauvery North Bank channels cannot be met without a bed regulator;

(iv) the improvements necessary to the Peruvalai channel taking off from the Cauvery on the north bank.

In G.O. No. 54 I., dated 9th January 1929, the Government, in replying to certain representations from the Trichinopoly district, had said that they would await the results of the investigation for which a special staff was to be appointed before coming to a decision regarding the following schemes the construction of which was asked for in those representations, namely—

"(2) that . . . a high-level channel may be excavated from above Kattalai to irrigate at least 50,000 acres in Kulittalai and Trichinopoly taluks;

"(3) that the Kattalai scheme may be carried out soon and that either the high-level channel (apparently the one to branch from the South Bank canal and to irrigate about 9,000 acres) may be excavated, or that the Kattuvari drainage scheme may be carried out immediately; and

"(4) that the head of the Thottiam Chinna voikal be shifted to a point higher up the river in advance of the North Bank canal scheme."

[12th March 1929

The Chief Engineer then pointed out that G.O. No. 235 I., dated 26th January 1929, did not order the investigation of the scheme for the excavation of a high-level channel from above Kattalai to irrigate at least 50,000 acres in Kulittalai and Trichinopoly taluks. Representations were also received by the Government from interested parties in the Trichinopoly district that this scheme also should be investigated. The Government have accordingly ordered that the special staff should investigate also the scheme for the excavation of a high-level channel from above Kattalai.

Land Revenue

Collection of penal assessment on lands cultivated wet in the Kistna Eastern delta.

* 1713 Q.—Mr. A. Kaleswara Rao: Will the hon. the Member for Revenue be pleased to state—

(a) the total amount of penal assessment collected on lands cultivated wet with Kistna water in Kistna Eastern delta in each of the faslis of 1337, 1336, 1335, 1334 and 1333 and the total number of acres on which the penal assessment has been collected in each fasli; and

(b) whether the Government intend to include all those lands under the ayacut of the delta under the proposed extension of ayacut?

A.—(a) The hon. Member is referred to (1) G.O. No. 1028, Revenue, dated 10th May 1928, which was placed on the table of the House on 3rd September 1928, and (2) the answers to clauses (a) and (b) of question No. 584, which were sent to him on 3rd January 1929. A copy of the latter is attached.[a] The Government have no further information.

(b) The Government cannot answer this without first knowing in respect of each field whether the inclusion fee was paid, and if the inclusion fee was paid, whether the conditions regarding levels have been satisfied.

Failure of crops in the Palghat taluk.

* 1714 Q.—Mr. K. Madhavan Nayar: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government received any information since January 1929 about the failure of the second crop in the Palghat taluk; and

(b) whether the Government propose to call for a report or make an enquiry about the said failure of crops?

A.—(a) & (b) The reply to both clauses of the question is in the negative.

Mr. K. Madhavan Nayar:—"May I know if the hon. the Revenue Member will at least make an inquiry of his Colleague in the Executive Council as to the conditions in the Palghat taluk?"

The hon. Sir Norman Marjoribanks:—"I have no doubt as to the condition of the taluk, but what is the action that the hon. Member wishes the Government to take?"

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[a] Printed as Appendix III on page 86 infra.

12th March 1929]

Mr. K. MADHAVAN NAYAR :—" There is a report that the second crop in the Palghat taluk has completely failed. May I know whether the Government will call for a report and do the needful? The answer to the question is in the negative and that is the necessity for calling for a report. I am asking the hon. Revenue Member whether he will at least make an inquiry of his Colleague in the Executive Council who belongs to the Palghat taluk with regard to the necessity for doing something in the matter?"

The hon. Sir NORMAN MARJORIBANKS :—" The suggestion 'to do the needful' does not appear in the question."

Minor Irrigation

Conservation of rain water in Malabar and South Kanara for cultivation purposes.

* 1715 Q.—Mr. A. B. SHETTY : Will the hon. the Member for Revenue be pleased to state—

(a) whether the possibilities of conserving rain water in Malabar and South Kanara for cultivation purposes by means of minor irrigation works have ever been investigated; and

(b) if not, whether the Government propose to do it hereafter?

A.—(a) The hon. Member is referred to the answer given to question No. 646 on 24th March 1925

(b) There is no such proposal under the consideration of the Government.

Mr. A. B. SHETTY :—" May I know from the hon. the Revenue Member whether the question regarding the scope for minor irrigation work in South Kanara has ever been examined?"

The hon. Sir NORMAN MARJORIBANKS :—" I should very much doubt it, Sir."

Survey

Refusal of permission to quarry stones by the Zamindar of Surangy.

* 1716 Q.—Sriman BISWANATH DAS Mahasayo : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the fact that the Zamindar of Surangy (Ganjam) refused permission to Mr. W. V. B. Ramalingam, contractor of the Survey Party No. V, to quarry stones from certain hillocks within the Zamindari on payment of seigniorage in connexion with the survey operations sanctioned by the Government on the application of the ryots under section 164 of Estates Land Act; and

(b) the action that is proposed to be taken?

A.—(a) The Government have not heard of the incident. The Government claim no mining rights in permanently-settled estates and know of no law under which the owner of such an estate can be compelled to allow quarrying by a Government contractor.

(b) The question is not understood.

[12th March 1929

Reforms

Government Memorandum to the Simon Commission.

*1717 *Q.*—Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether any memorandum on reforms has been presented on behalf of the Government of Madras, to the Simon Commission;

(*b*) whether the Reserved side and the Transferred side have presented separate memoranda;

(*c*) whether there have been any dissenting notes by any members of the Government;

(*d*) whether the Government will place on the table of this House the memorandum or memoranda presented to the Simon Commission;

(*e*) whether any oral evidence has been offered by the Government to the Simon Commission; and

(*f*) if so, who are the persons examined and what is their evidence?

A.—(*a*) Yes.

(*b*) No.

(*c*) No.

(*d*) This question is at present under the consideration of the Government.

(*e*) & (*f*) The following official witnesses appeared before the Commission:—

Mr. A. Y. G. Campbell, Chief Secretary.

Mr. C. A. Souter, Secretary, Public Works and Labour Department.

Mr. H. A. Watson, Finance Secretary.

Mr. Hilton Brown, Secretary, Local Self-Government Department.

Mr. Hamilton, Inspector-General of Police.

Mr. Cunningham, Commissioner of Police, Madras.

Mr. Slater, Commissioner of Labour.

Mr. S. V. Ramamurti, I.C.S.

The function of these witnesses was to supplement the information given in the Government descriptive memoranda by facts within their knowledge and they were instructed that if they expressed views or opinions they should confine themselves to personal views or opinions and not purport to speak on behalf of the Government. No record of what any of these witnesses said has been supplied to this Government.

Mr. A. KALESWARA RAO:—"May I know why the Government hesitate to place the memorandum submitted by them to the Simon Commission on the table of this House?"

The hon. Sir NORMAN MARJORIBANKS:—"The answer is given in the paper, Sir."

Mr. A. KALESWARA RAO:—"Yes, Sir, with reference to what is given in the answer to clause (*d*), I am asking this question. Why should there be any consideration in placing the Government's memorandum before the Members of this House?"

The hon. Sir NORMAN MARJORIBANKS :—" Each of us may have our own opinion as to that, but there the fact remains that the Government have not been able to come to a decision in the matter yet."

Mr. A. RANGANATHA MUDALIYAR :—" May I know with reference to the answer to clause (d), whether the memorandum submitted is a joint one of both the Reserved and Transferred side ? "

The hon. Sir NORMAN MARJORIBANKS :—" The answer given is 'No'. There is only one memorandum."

Mr. A. RANGANATHA MUDALIYAR :—" The answer given with regard to the question whether the Reserved side and the Transferred side have presented separate memoranda is 'No'. Does it mean that only one memorandum was submitted—that jointly by the Reserved and Transferred Halves ? "

The hon. Sir NORMAN MARJORIBANKS :—" One memorandum was submitted by the Government as a whole."

Mr. D. NARAYANA RAJU :—" May I know whether the Transferred Half has taken any part in preparing that memorandum ? "

The hon. Sir NORMAN MARJORIBANKS :—" They are parties to the whole thing. Who actually prepared the memorandum is another matter."

Mr. S. SATYAMURTI :—" May I know, in view of the fact that the memorandum is believed to have appeared word for word in the *Hindu*, the reason why the Government is still considering this matter of placing it on the table of this House ? "

The hon. Sir NORMAN MARJORIBANKS :—" I am very sorry I am not in a position to add to what is already on the paper."

Mr. S. SATYAMURTI :—" With regard to the answer to clause (c), may I know whether it is not a fact that on the position of Ministers under the new Provincial Autonomous Government the opinion of the Chief Minister differed fundamentally from that of the hon. the Leader of the House and whether it is not a matter on which there has been dissension between the Reserved and the Transferred Halves ? "

The hon. Sir NORMAN MARJORIBANKS :—" Not that I am aware of."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know from the hon. the Leader of the House whether he will be pleased to say whether the memorandum published in the *Hindu* is a correct copy of the memorandum presented to the Commission ? "

The hon. Sir NORMAN MARJORIBANKS :—" I have not read it, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether the memorandum has not been compared by any officer of the Secretariat with the *Hindu* ? "

The hon. Sir NORMAN MARJORIBANKS :—" Not that I am aware of; not under my instructions."

Government memorandum to the Simon Commission.

* 1718 *Q.*—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Member for Revenue be pleased to lay on the table the report or recommendations of this Government to the Simon Commission on the question of reforms ?

A.—The hon. Member is referred to the answer to question No. 1717.

Mr. S. SATYAMURTI :—" May I know whether there was any Indian witness, and may I know whether there was any design or was it by mere accident that, of the eight witnesses who appeared before the Commission, seven happened to be Europeans, and two of them represent the Police of Madras? Is it because the Government considered that the Police is the most important function of the Government and that Europeans alone can give evidence as regards the future Reforms of the province?"

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir. These are the departmental heads which the Commission wanted to hear and it is not the case that the Government selected them."

Mr. A. RANGANATHA MUDALIYAR :—" May I know whether the hon. Ministers were not examined?"

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir."

Mr. ABDUL HAMEED KHAN :—" May I know, in view of the fact that the hon. Ministers have taken part in the preparation of the memorandum and also that under the constitution they are responsible to the Legislature, whether it will not be possible for Government to lay the memorandum on the table of this House?"

The hon. Sir NORMAN MARJORIBANKS :—" I hope it will be, Sir. As I said, the matter is still under consideration."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether the hon. the Leader of the House was authorized by the hon. Ministers also to represent them when he gave evidence?"

The hon. Sir NORMAN MARJORIBANKS :—" I did not give any evidence, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" When the memorandum was presented to Government, was it not the Leader of the House that submitted it to the Commission on behalf of the Government?"

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir; it was sent by the Chief Secretary in the ordinary way."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I am asking whether the Ministers are also parties to that and authorized it to be sent by the Chief Secretary?"

The hon. Sir NORMAN MARJORIBANKS :—" Yes, Sir."

Mr. S. SATYAMURTI :—" May I know whether the hon. the Revenue Member was subjected to a long cross-examination by the Simon Commission, which I am told he stood very well?"

The hon. Sir NORMAN MARJORIBANKS :—" No, Sir. All the Members of Government had a very interesting conversation with the Members of the Commission."

Mr. R. NAGAN GOWDA :—" Is the memorandum a confidential one, Sir?"

The hon. Sir NORMAN MARJORIBANKS :—" It was supposed to be. Evidently somebody has been guilty of breach of faith which he may reconcile with his own conscience."

Mr. S. SATYAMURTI :—" May I know what the nature of this amiable conversation was? Was it about the weather or about the police arrangements in connexion with the Simon Commission's visit or the Revenue Member's appearance?"

The hon. Sir NORMAN MARJORIBANKS :—" It was on the subjects on which the Commissioners required information."

12th March 1929]

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I take it that all the seven Members of the Treasury Bench were present at the time of this interesting conversation ? "

The hon. Sir NORMAN MARJORIBANKS :—" Yes, certainly."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Did all of them take part in it ? "

The hon Sir NORMAN MARJORIBANKS :—" Yes, Sir, whenever they were disposed to. "

Mr. Sami VENKATACHALAM CHETTI :—" May I know his impressions of the evidence and the questions put to him ? "

The hon. Sir NORMAN MARJORIBANKS :—" As I said, I did not give any evidence. "

Mr. S. SATYAMURTI :—" May I know how long the conversation lasted ? "

The hon. Sir NORMAN MARJORIBANKS :—" A very long time, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether any record of the conversation is kept ? "

The hon. Sir NORMAN MARJORIBANKS :—" Not so far as I am aware of, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I know whether any shorthand writers were present during that time ? "

The hon. Sir NORMAN MARJORIBANKS :—" I did not see any, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Were there any official shorthand writers present ? "

The hon. Sir NORMAN MARJORIBANKS :—" I did not see them either."

Mr. S. SATYAMURTI :—" In view of the onerous work which the Provincial Committee is supposed to be doing—for which they are to be given Rs. 50 a day—may I know if they put any questions or took part in the conversation at all ? "

The hon. Sir NORMAN MARJORIBANKS :—" Certainly, Sir, we had an interesting conversation with those gentlemen also."

[*Note.*—An asterisk * at the commencement of a speech indicates revision by the member.]

II

MOTIONS ON THE BUDGET FOR 1929-30.

* The hon. the PRESIDENT :—" Under sub-rule (2) of Rule 29 of the Madras Legislative Council Rules His Excellency the Governor has been pleased to fix four hours as the maximum for the discussion of the following demands :—

Land Revenue	Demand I,
Education (Transferred)	Demand XX, and
Civil Works (Transferred)... ...	Demand XXXI,

and two hours as the maximum for motions affecting each of the other demands.

" Hon. Members will kindly remember that under Rule 29 (3) it will be my duty at 5 p.m., on the 27th to put every question necessary to dispose of all the outstanding matters in connexion with the demands for grants."

[12th March 1929

DEMAND I—LAND REVENUE DEPARTMENT

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, on the recommendation of His Excellency the Governor I move—

> '*that Government be granted a sum not exceeding Rs.* 255·62 *lakhs under Demand I—Land Revenue Department.*' "

11-30 a.m. * Mr. P. C. VENKATAPATI RAJU :—" Mr. President, Sir, before moving the first cut I should like with your permission to point out that the first 27 cut motions deal with the land revenue policy of the Government and so I wish it will be better to discuss the whole and then put them to the vote of the House."

* The hon. the PRESIDENT :—" I think all the motions have been given by the same party except cut motion nine."

Mr. P. C. VENKATAPATI RAJU :—" Sir, if you permit us to discuss the land revenue policy. . ."

* The hon. the PRESIDENT :—" The hon. Member must negotiate with the Leaders of other Parties ; perhaps they may like to have a specific vote on their motions."

Mr. P. C. VENKATAPATI RAJU :—" Sir, if you allow us. . ."

* The hon. the PRESIDENT :—" Instead of appealing to me, the hon. Member is expected to have negotiated with the Leaders and Whips of other Parties and to have come to an agreement on the matter. (Swarajist voices : We could not find them.) It is not a question of going in search of them and not finding them. Mr. Venkatapati Raju will now move his cut motion."

* Mr. P. C. VENKATAPATI RAJU :—" Sir, I move—

> '*that the allotment of Rs.* 28,68,000 *for Land Revenue be reduced by Rs.* 100'

for discussing the necessity for a Land Revenue law. The necessity is a long standing one and I know it has been recognized even by the Joint Parliamentary Committee even before they gave us the present Reforms. It has been admitted by the present Law Member that without such a law the imposition of land revenue and the enhancement of the same in resettlement are more or less a mockery. We know the land revenue amounts to about 43 per cent of the revenue of the province and it is an admitted fact that out of the vast population about 75 per cent have to do something or other with land. And so the importance of codifying the actions of the Government in regard to the levying and readjustment of land revenue cannot be gainsaid. Land Revenue law will be of great help not only to the people but also to the Government as they will then know what their actual policy should be in carrying on these settlements and resettlements. The land revenue which comprises about 43 per cent of the whole revenue of the province has been increased by about ten per cent during the last eight years ; and this was done without even taking the views and opinions of this Council, but by means of executive acts, by means of rules framed by Government at the instance of the executive. These executive rules were different from those of other settlements in other parts of the province. Naturally the resettlement officer or the Government or the Revenue Member whoever he may be will at times

12th March 1929] [Mr. P. C. Venkatapati Raju]

be sympathetic and at times be otherwise. Are we to depend upon the sympathy or otherwise of the Revenue Member of this Executive, who is directly concerned with such settlements? Without a codified law even Government are at a loss to make their calculations correctly. All that is wanted by us and by the people is that even those executive rules on which basis the settlement and resettlements are being made must be systematized and brought under a statute. Of course, some attempts were made to bring in some such laws. But the fact that it was not proceeded with is no credit to this Government. All that is wanted by us and all that is intended by the Joint Parliamentary Committee in the codification of such matters is that it should be subject to the Legislative Council. The fundamental fact is that the persons who are affected by these settlements should have a voice in framing the law under which land revenue is to be assessed. But unfortunately our Government, perhaps at the instance of the Government of India, did not agree to that right procedure. It is recognized by all, that there is no use in having a law which leaves everything to be regulated by executive rules and which will not be amendable to a vote of this House. It is as bad as having no law at all. As a matter of fact under the present system of administration we find even in other matters like Transferred subjects most of the administration is carried on by some sort of rules framed by Government. If that is to be perpetrated in this case, where the interests of millions of people are involved, we can say that we have no form of responsible government whatsoever. Now with regard to the way in which these assessments are carried on, we have no system at all. They will be carried on by a settlement officer who will have his own criteria, his own method of investigation, and unfortunately there is no definite understanding as to which portion of the gross income or the net income is to be taken into account in calculating the exact revenue of a piece of land. Of course, there is a vague general understanding that about 50 per cent of the net income or what is considered to be in some cases as equivalent to one-third of the gross income and sometimes one-fifth of the gross income are taken as some criteria for fixing up this rate of assessment. I hope in codifying the land revenue law they will bestow all their best attention upon the way in which this land revenue is to be regulated in this province; and I hope they will come to some sort of definite understanding. Even from 1902 the India Government wanted some sort of systematization of these rules relating to the land revenue assessment. But unfortunately, either on account of the provinces not coming to some sort of uniformity or otherwise, they could not systematise it in a way so as to have a systematized law on the subject. But when you realise that land revenue is the main source for our provincial revenue and that you have to deal with the general masses with reference to this land revenue, you will see that Government ought to have first of all seen their way to systematise this most important item both on account of the revenue receipts and on account of the great bearing it will have on the general economic condition of the presidency; and that one of their first acts, even after the Reforms, as was recommended by the Joint Parliamentary Committee, ought to have been this codification of land revenue law. There is no use in bringing forward a law which will not give this Council a voice in framing the revenue law. Even these executive rules which govern at present resettlements, are not uniform throughout the province. In one part they take into account the economic condition, and I am glad they have realized that it should be followed increasingly hereafter. I have known

[Mr. P. C. Venkatapati Raju] [12th March 1929

instances where Government have thought it unnecessary to go into the economic condition of the people at the time of resettlements. What is all this due to. It is due to the want of a law which will fix the method and procedure to be pursued. There is no use saying the rules are before the public. Of course the settlement officer will be publishing his scheme report, as it is called ; but what can he do to redress the grievances of the ryots? Thus on the whole we have to depend solely on the sympathetic nature of the settlement officer. Under these circumstances it will be better for the Government and for the people, if a law enunciating the principles of land revenue and other matters of procedure connected with it is brought forward at as early a date as possible and get rid of one standing curse and see that the already overburdened land is not further taxed and made dependent entirely on the vagaries of settlement officers."

11-45 a.m. * Mr. A. RANGANATHA MUDALIYAR :—" Sir, I have very great pleasure in seconding the motion just now made by the Leader of the Swaraj Party. In my humble opinion the Government have not played the game in regard to this matter. You may remember, Sir, that it was under the presidency of the first Revenue Member of the Reformed Council that this question was taken up and it was with his consent that a draft Bill was prepared and certain proposals were agreed to. But after the translation of that hon. Member to another place, the very principles to which he gave acceptance while he was here were evidently given the go-by. I would appeal, Sir, to the hon. the Revenue Member to consider whether there is any uniform principle followed in regard to the various resettlements carried on in this province. I shall only refer to two districts to prove my position. In regard to the Bellary district, as I once explained to the House, the hon. the Leader of the House himself saw the force of a certain criticism, revised earlier orders and gave some relief. In regard to the next district, Anantapur, when the Government were dealing with the red soil taluks of that district, they were more generous than they were in regard to Bellary district. I may say, Sir, at once that I do not grudge that district the concessions which it obtained. They are entitled to the same and even more, but this much, I do say that there is absolutely nothing to distinguish the conditions of that district from the corresponding portions of the Bellary district, and yet the treatment accorded was different. Why, Sir? Because as remarked by the speaker who has just sat down, there is nothing to guide these people by. There are no rules laid down which they have to follow. It depends so much on the personal element or personal equation whether the rates of enhancement are to be considered high or low. Then, Sir, the Land Revenue Bill that has been published is even less liberal than even the rules enunciated in the Settlement Manual. Surely, Sir, this is not a position which we can endure for any length of time. And in a matter like this, even at the risk of being criticised as preaching a sermon, I wish to say this : a subject nation like ours cannot afford to have party politics in certain matters and I consider the question of the land revenue policy is one such matter, on which there should be no difference of opinion, no matter where the members sit or are working. Therefore I would like to recall to the hon. the Law Member on the other side the words he used in regard to this matter on more than one occasion on this side of the House, and I wish that he will try not only to persuade his colleagues to translate what he wanted to have done into action, but to give them all the trouble he possibly can from that place, and give them no peace till this end is achieved."

12th March 1929]

* Mr. R. Srinivasa Ayyangar :—"Mr. President, Sir, this is not a subject which is at all new to the House, but on the other hand this is a subject with which the House is quite familiar. If I remember aright, this is the seventh occasion when this matter comes up, and during all the time when this subject was engaging the attention of the House, we have had the benefit of the warm advocacy and the powerful arguments of a member who has since been translated to the Treasury bench. This land revenue settlement is the very negation of the democratic principle that there should be no taxation without representation. And all these years this has been going on, and if I rise to-day it is only to meet an argument that was urged on the floor of the House by the hon. the Revenue Member this time about two years ago. And since then much water has passed under the bridge. The hon. Mr. (now Sir) N. E. Marjoribanks in replying to the debate on this identical question made the following significant statement. This is what he said :

'Both the hon. Members who spoke seem to have overlooked or to have ignored the communication which was published in the press about this time last year in which the reasons for the action taken by the Government were explained. It is a very short communiqué and if I may read it, I will do so. It said : "The Madras Government forwarded to the Government of India a draft of the Land Revenue Settlement Bill for the Madras Presidency which contained provisions giving the local Legislative Council the power to fix by means of a taxation Bill the money rates of assessment both at initial settlements and at resettlements. The Government of India have expressed their inability to accept the proposal on the grounds that it involves a fundamental departure from the practice which has been hitherto observed in Land Revenue settlements throughout India, that—(I lay emphasis on this)—no similar proposal is contained in the legislation which either has been introduced or is about to be introduced on the subject in other parts of India and that a careful examination of the language used by the joint Select Committee shows that their support cannot be claimed for the proposal." '

"This was on the 15th March 1927. In 1928 a similar motion was brought forward here and that was carried almost unanimously. Therefore it is no longer open to this Government to plead utter helplessness. But this much can be stated for the information of the House. Whatever might have been the possibility and whatever literature might have grown round this interesting subject, there is this one fundamental fact which appears to have led to a change in the angle of vision of the Government of India and on the part of several provincial Governments, and I feel bound to draw the attention of the House to that. I may tell the House that I read the other day in the papers that Land Revenue Bills had been introduced and had been passed by three provincial Legislative Councils—the Punjab Legislative Council, the United Provinces Legislative Council and the Central Provinces Legislative Council. These three Councils have passed measures conferring some measure of control on the local legislatures in the matter of the fixation of the pitch of assessment and also the limit to be placed on the enhancement of assessment. In the face of the resolutions or the attitude taken up by these three provincial legislatures I do not expect the Government of India to continue to be obdurate, and therefore it is up to this House to register its unanimous vote on this question so that the Government of India may think it worth its while not to take its stand upon the policy which has been followed hitherto, but to relax it to this extent, so that it may be brought into line with the provisions

contained in the Acts of the Punjab Council and in the Councils of the United Provinces and the Central Provinces. I do not want to detain the House any longer because this is a subject in which the ryots of this province are very much interested and while I am prepared to concede so far as this Government is concerned, the possibility of this Government viewing the matter with a certain amount of sympathy, I am willing to think that this Government found its hands tied on account of the extreme attitude taken up by the Government of India. Now there is a possibility of the Government of India releasing or relaxing its vigour in view of the circumstances to which advertence has been made by my hon. Friend just now. Therefore if I rise at all, I rise once again because I have no desire to take the House through all the details of the subject. I hope that the House will heartily pass this motion without further discussion or any more attention being devoted to this aspect of the case. On all the previous occasions before—unless I am very much mistaken, and I shall be glad to be corrected if I am, this House by an overwhelming majority passed this resolution insisting upon the Local Government to take immediate steps for introducing a Land Revenue Bill so that the revenue settlement may be brought under legislative control and legislative regulations. With these few words, I beg to give my support to this motion.''

* Mr. C. RAMASOMAYAJULU :—"Mr. President, Sir, the frequency with which this aspect of the matter, namely, the absence of land revenue legislation, is being brought to the notice of the Government is really significant. As the previous speaker has pointed out, whenever this question has been mooted in this Council it has been carried by an overwhelming majority, but all the same the Government is obdurate. Before I proceed to deal with the other matters involved in this question, may I take this occasion to point out one or two glaring absurdities and one or two anomalous situations which have been arising on account of the absence of land revenue legislation. May I point out a very recent instance which has been brought to the notice of this House? That instance is this. There was a Government Order of 1881 which laid down that in all settlements the lowest rate touched during the preceding twenty non-famine years must be taken to be the commutation rate in the matter of all future settlements. That Government Order expressly stated that the lowest rate in the matter of prices touched during the twenty non-famine years must be taken to be the commutation rate for all future settlements. That was the express wording of the Government Order of 1881. Well, Sir, when I was pressing this Government Order upon the attention of the present Government and when I was pointing out the terms of that Government Order and the subsequent policy of the Government in regard to the commutation rate in settlements the hon. the Revenue Member was ultimately driven to state that that Government Order embodied a principle which was absurd. I do not know what the hon. the Revenue Member meant by saying that it was absurd. Absurd, no doubt it may be, from the standpoint of the Government which intends only to take from the cultivating ryot as much as the Government can possibly get. But it was certainly not absurd from the standpoint of the cultivator and from the standpoint of the citizens of the country. It was absurd or it appeared to be absurd to the hon. the Revenue Member because that rate is not likely to pay, that basis is not likely to pay in the present settlements. The hon. the Revenue Member was not able to give any reasons at all, but he simply stated that it was absurd. Now applying that principle, if that principle laid down in that Government Order

12th March 1929] [Mr. C. Ramasomayajulu]

had continued to be the policy of the Government to-day, applying that principle to the present settlements that are going on this year, it would be clear that the Government has absolutely no case for any kind of enhancement at all. That is why that principle is characterized in that extreme fashion by the hon. the Revenue Member. I know he will call it absurd, but he has not been able to give any reasons at all why that principle is absurd except it be that it is not likely to give room to the Government to get as much money from the cultivator as Government wants. That principle I say is not at all absurd. On the other hand, it is most reasonable which the Government fixed in 1881. It fixed once for all the policy of the Government to be followed in all future resettlements. Now, Sir, the hon. the Revenue Member subsequently stated that the absurdity of this Government Order was seen at the time when the next settlement of South Arcot was taken on hand, and the policy was then changed. Why should it at all be changed? That is my point. As I already pointed out once before, the theory that the Crown owns every bit of the soil does not hold good in this country. That is a theory which is perhaps peculiar to the English soil and it is a relic of the feudal system that once prevailed there. Here I understand even the Hindu kings were taking a portion of the revenue, but that was in consideration of the amenities, of the securities, and the conveniences managed to be secured to the people by the Government. It was for that they had been taking a portion of the produce. Now, simply because there is a rise in prices, the Government say that they are entitled to enhance the assessment. This assumption involves the idea that the Government is the owner of every bit of the soil in the country. That theory has been repudiated by a great Judge, an Indian Judge of the Madras High Court, the late Sir Subrahmanya Ayyar.

"The Government cannot enhance the revenue as they like except on some basis and let that basis be the land revenue legislation; otherwise we will be driven to say that the whole system of administration of land revenue is conducted on absurd lines, as the Revenue Member himself called a particular Government Order absurd. Last year when this matter was being discussed, the Revenue Member was pleased to put forth a curious argument. He said that the possibility of a land revenue law was rendered impossible by the vote of this Council deciding that the last voice in fixing the rates must be left to the Council. He put it this way. When once it is there, the Government of India could not accept it. He said that land revenue being a reserved subject it was anomalous to say that the final voice in the matter of settling the rates ought to be left to the Council. A very peculiar proposition. I do not know if this argument was advanced by the Government of India or any other Government for that matter. I wish to point out that there is absolutely no logic in the matter. The Government puts forth some portions of the land revenue demand as votable before this House and then say we have no business to vote upon this question because it is a Reserved subject. What is the meaning? Unless you have some influence in the administration of the land revenue policy there is absolutely no reason or rationale behind making these grants votable. 12 noon.

"I shall illustrate my position further by saying that with reference to court fees and stamps, it is this House that lays down the policy and the Reserved half carries out the provisions. Therefore, the argument advanced by the Revenue Member that since land revenue is a Reserved subject this House cannot have a voice in fixing the revenue rates does not at all hold

[Mr. C. Ramasomayajulu] [12th March 1929

good. We are in a pecular situation. The authorities in the India Council go on saying that since the provincial Governments have not been taking active steps in the matter of land revenue legislation, the Indian Government cannot be held responsible in the matter. They have mentioned that the Madras Government have not yet taken the initiative and when this was pointed out in an interpellation, the Revenue Member stated that they have been corresponding with the India Government. Nothing has come out. Years have rolled by. It was in December 1926 that a Land Revenue Bill was published ; we are now in 1929. We are where we were. The Revenue Member seems to have given us to understand that so long as the final settlement of rates is left to the Council, the India Government is not likely to concede to that legislation. Therefore this raises a suspicion in our minds that this Government is not after all willing to press the view of this Council on the India Government. I put it to the Revenue Member on one occasion whether he was prepared to fight with the Government of India on the matter of giving the provincial council the ultimate voice. The Revenue Member in his usual suave way said that this Government were not prepared to fight with the Government of India on any point. My point is that the Revenue Member is bound to fight with the Government of India seeing that this point has been pressed in every budget session and carried by a large majority. Although land revenue is a Reserved subject, yet we have got a right to influence the policy of the Government. Therefore my conclusion is that the absence of a land revenue law is responsible for a good number of anomalies in the administration of land revenue. It has not even been pretended that no case has been made out. I may submit in this connexion that the Joint Parliamentary Committee have very clearly stated—it has been referred to by other speakers also—that land revenue administration in this Presidency is being carried on by means of rules and that the people had absolutely no voice in its administration. They have further stated that very often people are ignorant of the rules under which land revenue is being administered. That was nearly nine years ago, and still there has been nothing done in the matter. The attitude of the present Government seems to be obdurate. I shall quote another instance. When the resolution for the appointment of a Committee was passed by a majority in this Council the Government took steps for appointing a Committee. But when the Committee was appointed, a curious thing happened. The Revenue Member, if I remember right, said that the Government was not going to lend any of its members to the Committee lest they might be charged with having influenced the decision of the Committee. But people are not disposed to take such a thing at its face value. They are disposed to take it that the Government wanted to have nothing to do with it, so that they might easily shelve the findings of the Committee appointed by this Council. The Government did not want to supply any members to the Committee simply with a view to shelve the findings of the Committee. We know, Sir, if some members from the Government side are on the Committee, the Government will be bound to give weight to the findings of the Committee. Now they are on safe ground and can say that they are not satisfied with the findings of the Committee. That is the sort of impression created—I may be wrong—but that is the impression created in some people that this non-interference or non-supplying of members to this Economic Enquiry Committee is due to some sort of untoward intentions on the part of Government. I shall be glad to be disabused in the matter. Otherwise, there is no reason why

12th March 1929] [Mr. C. Ramasomayajulu]

Government did not lend its members. With reference to the question of settlement and survey operations in the East Godavari and Kistna districts, we have been pressing upon the Government that the operations now going on might be suspended pending the passing of the land revenue legislation. The reply that was made by the Revenue Member was it was not only for the settling of rates but for making a better survey so that each man might know exactly what he owed to Government and that the boundaries might be correctly set. Well, Sir, the survey has been done. All the same, the parties are going on with their operations. In Assam, in similar circumstances a resolution was carried in September 1928 to the effect that settlement operations then going on might be postponed until the passing of the land revenue legislation. I do not know what the Government has done. But all the same it is there. It is no use reiterating the same arguments. I believe the Revenue Member is aware of these things. In the matter of land revenue, the Government are not prepared to listen to our voice, because it is the largest item of revenue on which they can count. That is why they do not wish to let go their hold on it. Where 70 per cent of the population live by cultivation, where the largest of revenue is land revenue, to see that such a system is to be regulated by rules which are found in some ancient books, or administered in a hole and corner fashion is not at all in keeping with the fair name of the Government. We challenge the Government to say whether they really consider that this department, the most vital department, should be administered in this hole and corner fashion. So, I support this motion."

* Mr. J. A. Saldanha :—" Sir, I shall only refer to the discussion that has been going on locally under a misconception of what has been done in the Punjab. What we want in this Presidency is not a Bill on the lines passed by the Punjab Government which Bill has been explained as a great step in the direction of democratic progress. What I say is this."

* The hon. the President :—" Does the Government say that the Punjab Bill is a very great democratic Bill ? "

* Mr. J. A. Saldanha :—" The Government have not said so."

* The hon. the President :—" The hon. Member might reply to any statements made in the House by other members of his own party or another party or by members of Government. I do not think the hon. Member will be right in referring to the criticisms made outside the House."

* Mr. J. A. Saldanha :—" I want to state we in this Council, at least our party, claim to put forward."

* The hon. the President :—" The proper person to put forward the claims of his party is the leader."

* Mr. J. A. Saldanha :—" I claim it for my own constituency. The revenue settlement is looming large before us in South Kanara and everybody is asking what will be the rate of increase of taxation. The Government have not yet announced what the rates of increase are going to be. I understand that it will be an increase of 3 annas in the rupee. If that be the case, the Revenue Member may rest assured that we are determined to fight against it, because this rate will be unjust and unfair to our district. The revenue settlement of our district thirty years ago was not at all fair. The Government

have done nothing to the agriculturists in our district in the way of irrigational facilities or other improvements to land. All the improvements done, are through the cultivators' own labour and at their own expense. Still Government have fixed the rates of assessment on the basis of the East Coast, i.e., 100 per cent, more than due. That step was very injurious to the interests of the district. I shall not go into details. The local feeling, as I am told by many of my constituents, both Hindu and Christian, who have landed interests at stake, is that no revenue settlement should be made without the sanction of the Council, and that the rates of increase should be fixed by a taxation Bill brought for the particular district. Whether it is half anna or one anna increase it shall be settled by the Legislative Council; otherwise there is no necessity for us to come into the Council. They say that the assessment as now fixed is entirely inconsistent with the democratic ideals of any country and that it is not worth while for us to go and take part in the deliberations of this Council and that we should go again only with a determination that the people should not be made to pay any tax unless the rates of assessment are fixed by the Council. I think that stands to reason. Our Council does not enjoy as much privilege or right as the Parliament in the fourteenth century."

12-15 p.m. * Mr. J. A. Saldanha :—"The right of Parliament to control taxation was exercised as early as the middle of the thirteenth century. There should be no increased taxation without proper representation. I do not want to repeat this again and again as this matter has been thrashed out on the floor of this House times without number. But I want to submit whether the time has not come for us to stand boldly and say that we shall not be justified in future in paying any of these increased taxes unless the House sanctions the rates."

* Mr. A. B. Shetty :—"The necessity for settling the principles of land revenue and not leaving the matter to the discretion of the Executive will be evident from what is happening in Malabar and South Kanara to-day. One of the principles laid down by Government in this matter is that they should not charge the ryots' improvements too much.

"Since the last settlement several single-crop wet lands have been converted into double-crop lands and many dry lands have been converted into wet and garden lands by the ryots spending money and labour in effecting these improvements. As my hon. friend Mr. Saldanha remarked, it is very well known that there are no irrigation works of any sort in Malabar and South Kanara. The Government have not spent a single pie for effecting any of these improvements.

"As late as May 1928 the Commissioner for Land Revenue and Settlement admitted this matter in these words: 'The circumstances under which dry lands were converted into wet, on the West Coast are entirely different from those elsewhere. In the East Coast districts the increased value imparted to dry land when it is converted into wet is the result of the supply of water from Government source of irrigation and the actual cost to the ryot of making his lands suitable for wet cultivation is in most cases negligible. On the West Coast the conversion of dry land into wet is made entirely at the ryot's expense and costs the Government nothing. The levy of wet assessment on such lands will, in practice, amount to taxing the ryots' improvements and will be difficult to justify, notwithstanding the fact that the Government have reserved the power to introduce such changes as may seem proper in the

classification and assessment of lands after the expiry of the current settlement of the two districts?' Yet in spite of such an opinion expressed by their own officer, the Government have ordered the reclassification of dry lands converted to wet and garden lands in Malabar. I understand that the Special Settlement Officer has reported to Government that the reclassification of these lands should be done in a similar way in South Kanara also. I find Sir, that at this time last year, in reply to the discussion on this matter, the Revenue Member said that changes in classification had nearly always been in cases where additional irrigation facilities had been provided and that in recent years there had been very few cases of such reclassification. I want to know, Sir, what the justification is for the proposed reclassification in Malabar and South Kanara where the Government, as I said already, has not spent a single pie on irrigation works. Is this arbitrarily done or according to any settled principles? Well, this alone will show the necessity for embodying in law the main principles by which land revenue should be governed, instead of leaving it as at present to the sweet will and pleasure of the Executive."

* Mr. K. Madhavan Nayar :—"I know, Sir, any cry that comes from Malabar is a cry in the wilderness. We suffer, as I said on a previous occasion, a little too much from good reputation. It is true, Sir, that Malabar was a country which flowed with milk and honey at one time. But for some years past we have been suffering from flood or drought, i.e., either too much rain or too little of it. Crops have been failing now and then and this year the second crop has almost completely failed in the Palghat taluk and I have tried by repeated questions to bring this matter to the notice of the Government. In spite of all this, there is absolutely no irrigation works for Malabar. The Settlement officers go on in their own merry way and the Government care little for the sufferings of the people.

"The thin end of the wedge has been introduced in Wynaad. It is seen that in that part of Malabar, a good portion of which is uncultivable or uncultivated and which may be considered as the worst part of the district, has been assessed to a tax of Rs. 6 per acre even as regards waste lands. It is very difficult for the owners of even cultivable lands in Wynaad to pay the Government tax. Now there is not even an inch of ground in Wynaad which is exempt from revenue. That is what is being done in Wynaad, and what the Government may do in the rest of Malabar and other districts. That is why I say that unless there is a definite policy enunciated by the Government with regard to settlement, unless the Government gets the consent of the legislature with regard to the mode of assessment, the rate of assessment, the classification of lands and the period during which these assessments have to be enhanced, etc., there is no safety at all for the people.

"We know that it is the districts which appear to be fertile that suffer most from the want of a revenue policy. The Government does not care to enhance the taxation in districts like Bellary, or Anantapur but all the enhancement has to be borne by districts like Malabar, Tanjore, Godavari, etc. It is absolutely essential, therefore, that there should be a land revenue law and that there should be a definite land revenue policy. I therefore strongly support this motion that has been moved by my Leader."

* Mr. A. Kaleswara Rao :—"Mr. President, Sir, while no fresh tax could be levied by the Government without a vote of the Legislative Council under the new Reforms, the Government has been arbitrarily increasing the land

revenue on the land. They seem to be under the impression that this is not a tax but a rent on the land, which in their opinion belongs to the State. When they settled the lands about more than a century back they first introduced the zamindari system and fixed the peshkash under the permanent settlement without any power of enhancement, and they have been collecting the same peshkash from the zamindars from 1802 but with regard to the unfortunate ryots the thirty years' settlement has been very disadvantageous to them. Once in thirty years, in the name of re-settlement some how or other, the land tax to be paid by the ryots has been increased without any exception. I do not think the Government is bound to enhance but the Government will never give up the policy of squeezing as much as possible from the ryots under some name or other. In that way, year after year they have been getting more and more land revenue in the Presidency and somehow or other it is being spent, whether ill-spent or well-spent. That is a different matter about which we have been discussing on other occasions.

" After the Reforms, it was expected that some general law which would make the position clear would be introduced. But year after year resolutions are passed in this Council that this land revenue policy should be brought under the vote of the Legislative Council and that an enactment should be made bringing the whole thing under the jurisdiction of the Legislative Council ; but the Government does not care to do anything.

" In 1927 when the hon. the Revenue Member tried to introduce some Bill and had it published we wanted to criticise it and expected that something would come out of it. But he has suddenly given it up. And nobody knows why he has done so.

" Re-settlement operations are going on in district after district every year. In 1926 when some hon. Member of the House proposed a cut for postponing the re-settlement operations till a satisfactory Land Revenue Bill is introduced and passed by the Council, the hon. the Revenue Member (our hon. Friend pointing to Sir Norman Marjoribanks) assured that some announcement would be made with regard to the passing of the Land Revenue Bill and therefore that re-settlement operations might go on for the purpose of recording correctly the extent and also the subdivisions of the ryots' holdings and that no higher rates would be imposed until the Land Revenue Bill had come up for discussion, or at least the Government would make a definite statement with regard to the passing of the Land Revenue Bill in 1926 at the budget time I reminded the hon. the Revenue Member about that statement. He assured me that something in the way of settling this question once for all would be done. Though three years have elapsed since that assurance was given we are where we were.

" Our hon. Friend Mr. Krishnan Nayar, for whom I have very great regard as a popular gentleman of public service and capacity and as a leader of people, was very reasonable while he was on the non-official side and was asking the Government to pass at once a law on land revenue. But he is now on the other side and I am sorry to say that he is not in a position to do anything and perhaps on the other hand he thinks he is bound to support even the bad policy of the Government which he had strongly condemned from the other side. In this way things are going on and our own men are of no use to us with the result that the bureaucratic machinery goes on as

12th March 1929] [Mr. A. Kaleswara Rao]

before in spite of the cry of the people and of the representatives. The cry becomes as usual a cry in the wilderness. I do not desire to repeat all the arguments adduced by the members of all the parties of this House from time to time.

"Resolutions are passed and the Government are indifferent. In this way we have to go on I suppose till we get the subject itself transferred to the Legislative Council which we hope will take place very soon. Perhaps even then the Government of India might bring some objection or impediment. Of course even transferred subjects are now and then said to be central subjects. In that way of course things may go on. That is the situation now. I therefore support the motion and ask the Government to stop resettlement operations in Kistna and East and West Godavari districts till a Land Revenue Bill is passed and the whole of the land revenue policy and assessment of land revenue are brought under the jurisdiction and vote of the Legislative Council." 12-30 p.m.

* Rao Bahadur Sir A. P. Patro :—"Mr. President, Sir, the object of this token motion is stated to be to discuss the necessity for a land revenue law. I do not think there is any difference of opinion as regards the necessity for a law relating to land revenue. The opinion of the joint Select Committee was that the principles of land revenue settlement should be embodied in a law laying down the principles of settlement, the pitch of assessment and the mode in which that pitch should be arrived at. In accordance with that recommendation of the joint Select Committee, the Local Governments prepared Bills for the purpose of regulating resettlements or fixing the land revenue assessment. In Madras a Bill was prepared and placed before the House laying down the principles for the determination of land revenue codifying the principles that are embodied in the Board of Revenue, namely, classification of the soil, fixation of the tarams, etc. That Bill contained a provision which stated the highest pitch to which land revenue could be enhanced, viz., $18\frac{3}{4}$ per cent. The defect in that Bill was that it did not lay down the principles by which assessment could be arrived at. That was the issue before the country. The Government did not agree with the opinion of the House that these principles should be left to the House to determine, viz., how the assessment should be arrived at, etc. Although the maximum pitch of $18\frac{3}{4}$ per cent was admitted, the claim of the House that it should be allowed to determine the assessment in individual cases instead of leaving it to the arbitrary discretion of the executive Government was not conceded. The difference of opinion between the House and the Government was on the question of the rules which would regulate the pitch of assessment in individual cases. On that a reference was made to the Government of India. The Government of India seemed to think that there should be a comprehensive measure applicable to all ryotwari settlements in India and therefore the Madras Government should not proceed with legislation. Whatever may be the difference of opinion between this Government and the Government of India, ryots of this province suffer very much on account of this bureaucratic method of dealing with the matter. When popular representatives say that when you fix the highest pitch at $18\frac{3}{4}$ per cent, you should allow its application to individual cases to be determined by the people themselves—a thing which is self-evident—it is beyond the comprehension of all reasonable persons why the Government of India should intervene and say that it will not sanction it. On account of that difficulty raised by the Government of India

the Resettlement Bill could not be passed by this House. The matter, it will be seen, is very simple, namely, that this Government should again press on the attention of the Government of India that non-official opinion is in favour of a Bill which laid down the precise method by which assessment of land revenue could be indicated in the Bill itself. If this is done at least the Government of India would now listen because we see already what is happening in other provinces with regard to the same matter. When we have got the example of Bardoli before us (Loud cries of 'Hear, hear') it is impossible for any Government to ignore the necessity for a law of this kind. (Mr. S. Satyamurti: 'Hurrah'). Therefore it is absolutely necessary that this Government should press on the attention of the Government of India for an early settlement of this matter. This question has been pending for a long time. The demand for the introduction of a law embodying the principles of land revenue settlement is a very old one. For the last 50 years politicians and public men have been asking for it and yet nothing has been done in the matter and the same differences that existed 50 years ago exist even now between the bureaucracy and the people. (Mr. S. Satyamurti: 'Hear, hear'.) I am sure when the bureaucratic Government ceases to exist (Mr. S. Satyamurti: 'Hear, hear') it will be incumbent on the popular Government to regulate assessment in such manner that will protect popular interests as also the Government for the time being." (Applause.)

* Mr. P. Anjaneyulu:—"Mr. President, Sir, we live to learn. I congratulate Sir A. P. Patro on the grand speech, possibly on the eve of the elections, he has made to-day supporting the popular cause. He has called this a bureaucratic Government of which till recently he was a part and parcel. He said that the Government should bring forward this Bill which he says goes to the very root of the administration of the Presidency. He said many things about this Government for saying which he has been accusing the Swarajists. I therefore congratulate him. I only hope that the wisdom that has dawned on him will not get clouded and fade away as soon as the elections are over. I hope it will continue to be with him and materialize when perchance he should once again occupy the Treasury bench.

"Sir, the hon. the Revenue Member is a hard nut to crack. One of the most characteristic features, worthy of being learnt, to be found in him is the large-hearted manner and the very receptive faculty in which he takes even hard things said against him so coolly and also so much like a statesman. (The hon. Dr. P. Subbarayan: 'Hear, hear'.) Sir, our trouble with him is that he hears very much what we say, but says very little that we want him to say. The hon. Member was telling us this time last year that it was the Central Government practically that stood in the way of this legislation. Land revenue legislation, it need hardly be said, affect the very life of the ryots. It affects them directly and intimately, so much so, that of all the legislation that could be put on the anvil of the Legislative Council, this is the one thing, Sir, that approximates to the life and well being of the whole of the agricultural population. I have no doubt that the hon. the Revenue Member, with all his large experience of district work as revenue officer and coming up from stage to stage almost to the highest rung in the ladder, would remember the longstanding cry of the ryot that after each settlement the labour he has spent on the land is not, when it is fruitful, altogether to be his. Much of it is being taken away by the Government. Hosoevwer it be, all that this House has been asking for is that some sort of

12th March 1929] [Mr. P. Anjaneyulu]

legislation should be passed by which the assessment at settlements is not left to the individual whims and fancies of different settlement officers. The only thing that stood in our way was, as I understood it, the Central Government. Now, seeing the happenings in other provinces (Punjab and Central Provinces) where the Legislative Councils have been given the final say in the matter of fixing the assessment, the only plea of this Government that the Central Government have turned down their proposal, practically vanishes. I hope and trust therefore that before many speeches on this side are made, the hon. the Revenue Member will help us by giving us an assurance that this Government will soon undertake a legislation of the sort for which we have been pressing for so long."

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, Sir, if I were a Member like those on the other side, seeing that the elections cannot be very far off, I should also have to make speeches like those we heard this morning. (Laughter.) (Mr. S. Satyamurti : 'What a cynic you are ?') But I should not believe them and may be permitted to entertain a little doubt as to whether all the speakers meant exactly all they said. (Mr. S. Satyamurti : 'No, no.') Only a little doubt. (Laughter.) (Mr. Harisarvottama Rao : 'Not about all.') If the demand of the other side is that the present executive rules —many Members would not recognize that there are executive rules—should be given statutory form. It could not satisfy revenue payers. The mere fact that assessments are made under statutory rules would not in itself lead to contentment and I do not see why it should be a matter of such great moment to the ryot which method is adopted. The real difference which all Members more or less practically admitted is whether the power of determining the actual rates should rest on the vote of the Legislative Council or with the Executive Government. It is stated that in other Governments legislation has been passed by which power in this matter of rates has been conceded to the Legislative Councils. I was taken aback and considerably surprised when I heard it so stated. I am not aware of it myself. I have great doubts whether any speaker who made that statement was aware of it. (Mr. R. Srinivasa Ayyangar : 'I found it in the *Hindu*.') What the hon. Member has seen in the papers and what I have seen in the papers is that an Act has been passed in which the pitch of the assessment and the limit of increase have been fixed. (Mr. R. Srinivasa Ayyangar : 'That is exactly what I stated.') That is not the rates. That means that they would be content with a law which laid down that the assessment of land revenue should depend upon the rental value and that it should be 25 per cent of the rental assets. If a similar system were adopted here, that would increase the rates five or more times all over the Presidency.

"In other provinces they are dealing with the temporary zamindari system. The ryots pay the zamindar certain rates and a portion of that money is taken by the Government. In Madras in ryotwari tracts we do not have such zamindars. Whatever the ryots pay passes to the Government and accordingly the State gets more revenue directly in Madras than elsewhere. In these circumstances the legislation of other provinces referred to does not apply in any way to Madras. In this Presidency we have set forth in a statutory from the rules which have hitherto guided our settlements and resettlements and we further suggested that by statutory rule there should be a limitation and subject to that limitation increases might be made ; but the opinion of the House was that they were against any such measure unless 12-45 p.m.

[Sir Norman Marjoribanks] [12th March 1929

they had the power to fix the actual rates. I do not see how any Executive Government could concede that power to the Legislature In a self-governing province, the Ministers will represent the majority party, and any measure brought forward by them will be carried by that majority party and, if not, that majority would go out of office. Here, the limitations of the present constitution must be recognized The Reserved Half of Government have not got any party or majority, and we cannot resign as the constitution stands at present. It is quite impossible for the Government as it is at present constituted to accept the position that the actual rates of assessment should be settled by the Legislative Council. To say that the Government have not been influenced by the views expressed by this House is not correct. Over and over again the views of the public have been forcibly expressed in this House and we have been influenced by them. If there was any idea or likelihood of a Bill such as that which I have tried to introduce subject to certain limitations being accepted, the Government would have readily introduced it. However, the Members of this House have insisted that they should be given the power to fix the rates of assessment. Therefore, the only alternative is, perhaps, to wait till we have Provincial Autonomy when the Ministers of that day may bring in such a Bill. But I am bold enough to prophesy that they never will."

* Mr. S. Satyamurti :—"Some years ago, when I was a student I was very fond of reading George Meredith's novels; but they are not so popular now as in my time. He defines cynicism as 'intellectual dandyism without the coxcomb's feathers.' I have never come across a person who is more cynical than the hon. the Revenue Member of the Government of Madras, whom we all have the pleasure of knowing all these years. He is not by any means a dandy. He is an intellectual person. But undoubtedly he is the most cynical person I have ever met. I think that is the secret of his health and his strength. He does not believe in anything or in anybody. I do not know if he believes in himself; and therefore, he thinks that the only way in which he can answer this question is this: 'You are looking forward to the elections and you want to get votes; you are saying all these things now, but really you are not sincere or earnest about your opinions; and if you want to pass such a legislation as this there must be a Government which is responsible to the electorate; and if that Government refuses to pass such a legislation you must turn them out; but we have not got such a Government at present.' May I tell him that we on this side of this House are prepared to turn down any Ministry that comes into power if they are not able to carry through this legislation?

"Now, so far as the matter under discussion is concerned, there is the third party to this transaction—I mean the poor ryots whose grinding poverty must make an appeal to the heart of every Member of this House. I think the limits of taxation on land revenue in this province have reached such a level that unless some heroic remedy is adopted by resorting to the recommendation of the Joint Parliamentary Committee there will be serious trouble in this province. I am not giving this opinion merely on my own responsibility but that is based upon the feelings of people who cannot be dismissed as extreme. I may be permitted to quote from my hon. Friend who now occupies a seat on the Treasury Bench. This is what he says:

'There is no doubt that assessment on land in this Presidency from a small tenant farmer's point of view has reached a limit beyond which it would be hard on him to raise it.

12th March 1929] [Mr. S. Satyamurti]

This does not mean that I am in favour of the idea that the Government should lose the right of raising more revenues from land to recoup its exchequer. But I do contend that the time has come for the Government to give up the right of getting any more revenues from persons who are getting almost I may say a living wage from the land—I mean a small tenant farmer. So I contend that the land revenue ought to be permanently settled after levelling up the rates in all parts of the Presidency. The Government after such settlement should not have the right to get any further revenue from land as land, but, when necessity arises, may levy a tax on all agricultural income of over Rs. 1,000 a year. Such a tax may be made a provincial tax.'

"That is the opinion of my hon. Friend the Chief Minister when he was free from the trammels of office. We see, Sir, that a man who is not likely to be influenced by any political considerations as was attributed to us by the hon. the Revenue Member has definitely stated that the case of the small tenant farmer in this province has become practically hopeless and that something ought to be done to guarantee that this land revenue will not be capriciously raised hereafter. I agree with the hon. the Revenue Member that what the ryots want is not so much the translation of the form and the rules under which assessments are made into a statutory shape as a guarantee that the tax or the revenue that he is paying will not be raised arbitrarily from time to time. I think a very convincing case can be made out for permanently settling the revenue at least of the small tenant farmers. As my hon. Friend Dr. Subbarayan puts it, I am one of those who believe that certain lands should also pay an increasing share of revenue to meet the increasing demands of this province, but at the same time there are from 70 to 80 per cent of these ryotwari landlords who can just manage to make both ends meet. These people ought not to have their rates raised. That can be done either by introducing a legislation for permanent settlement of those lands in the hands of these small ryotwari landholders or by leaving it to the House to fix the rates of assessment; and I am sure that whichever party is in power in this House the rates of assessment on these people will never be raised. I also believe that people who are getting an agricultural income over Rs. 1,000 or Rs. 2,000 a year will have to pay an additional tax for meeting the expenditure of this province. Subject to these limitations, I think we should have a permanent revenue settlement, or in the alternative a Bill giving powers to this House for fixing the rates of assessment. My hon. Friend the Revenue Member says that the Government have been influenced in all settlements by the opinions of this House. We had the instance of Tanjore where, after a strong and continuous agitation, the Government gave some concession. With regard to the recent resettlement proposals in Kistna, East Godavari and West Godavari districts, the Government have just now appointed a committee out of deference to the wishes of this House and whether they will accept the conclusions of this committee or not remains to be seen. May I ask the hon. the Revenue Member whether it conduces to smooth and efficient administration that whenever resettlement operations begin in any district there should be an agitation on the part of the people and Government should yield only after feeling the pressure of public opinion? I think that is the A, B, C, of any sound Government that people ought not to be allowed to accumulate their grievances; Government must have regard for public opinion unless they want to exercise extreme pressure upon the people. My hon. Friend, Sir A. P. Patro, referred to Bardoli. I believe he referred to the no-tax campaign at Bardoli. I say that Bardoli is symbolic of the future troubles which are likely to take place in our province, unless the problem is tackled in a statesmanlike and courageous manner.

[Mr. S. Satyamurti] [12th March 1929

"The hon. the Revenue Member both last year and this year laid down the extraordinary dictum that no Government can vest in the Legislative Council the right to fix the rates of assessment and he painted the very horrible picture of the contingency of particular rates of assessment for a district being proposed by the executive and the House rejecting it and the executive being compelled to resign and their being not in a position to resign. Taking the Government of India Act, it is open to the Governor to restore a provision not voted for in this House or to certify a Bill or a clause of a Bill or a particular amendment. I am arguing the position on the very basis suggested by the hon. the Revenue Member. Assuming the present Reserved half brings in a Land Revenue Bill giving the powers of fixing the rates of assessment to this Council and they, the latter alter the rates, even then there are reserved powers vested in them to veto the measure. But even otherwise why should the executive feel that the Legislature would not be given the right to fix the rate of assessment? Assuming the Council fixes a lower rate if the Government are not satisfied with that rate, then they have the power to fix a higher rate. The hon. the Revenue Member stated that provincial autonomy would come very soon and we can then introduce a legislation fixing the rates of assessment. For once giving up his usual mood of complacency, he threw out the challenge and said that no Government, not even the autonomous government, would bring in a legislation of that character. I hope he will be in this Province or in India, or even if he is outside, I trust he will take some interest in the affairs of this province. I answer the challenge that the moment the autonomous Government of this Province refuses to introduce such a legislation, it must go out of office. After all, we are speculating about the future and I think I may boldly say that the moment we get provincial autonomy we will introduce such a legislation. So far as my hon. Friend the Revenue Member is concerned, he has taken up a unique position, and I would remind him of the recommendations made by the Joint Parliamentary Committee as to what are the functions of the Reserved and Transferred halves respectively.

"I want to draw the attention of the hon. the Revenue Member to the following fact: The Joint Parliamentary Committee suggested that 'the subject—the subject of land revenue—was one which probably would not be transferred to Ministers until the electorate included a satisfactory representation of rural interests, those of the tenantry as well as of the landlords; and the system should be established on a clear statutory basis before this change takes place.' Further the Joint Parliamentary Committee contemplate the placing of the land revenue system on a statutory basis before the subject was transferred to the people. They also say that they consider that the imposition of new burdens should be gradually brought more within the purview of the Legislature. They say that they are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the *graduation of enhancements*, and the other chief processes which touch the well being of the revenue payers. I should like to ask the hon. the Revenue Member what meaning he attaches to the phrase 'the graduation of enhancements,' whether it does not mean the rates proposed to be increased every time. The Joint Parliamentary Committee suggest that that should be brought under the purview of the Legislature. As a matter of English, I leave it to the House to judge on this matter. This Government have stated in their memorandum to the Simon Commission that this subject should be

12th March 1929] [Mr. S. Satyamurti]

transferred. I should like to know how the hon. the Revenue Member would reconcile that position with the position laid down by the Joint Parliamentary Committee.

"Then, Sir, I come now to the speech of my hon. Friend, the Law Member who now adorns the Treasury Bench. In a very forcible speech he laid down the principles which ought to govern any government in dealing with this matter and to-day he sits there; he sits there because the Parliament wanted that there should be two Indian Members on the Executive Council to represent the Indian point of view or the people's point of view to the Government. He said, having regard to the fact that this province is the most heavily taxed of all provinces it is very desirable that the representatives of the people in this Council should be given the power of determining the most important item of the revenues of the Presidency, viz., land revenue.

"I have compared, with some care, the speeches delivered by my hon. Friend, the Revenue Member for the last two or three years on this debate. He says that land revenue is the first main source of revenue of this province. He does not want to reduce the same. We are the Reserved half and we cannot do it; therefore we cannot accept the arguments of the other side.

"Then, Sir, I should like to draw the attention of the House to a far more important matter than that of the Joint Parliamentary Committee report. After the reforms were introduced we had a non-official committee of this Council composed of many Government servants, expert Revenue officers with long experience and they have said 'we therefore recommend that the Government should, before orders are issued in a scheme report, place its proposal before the Legislative Council, that it should be competent to the Legislative Council to reject, adopt or modify the proposals of the Government in such manner as they may think fit and that the Government should pass final orders on the scheme in accordance with the resolution of the Legislative Council.' This report, Sir, is signed by Sir Muhammad Habib-ul-lah, Messrs. N. Macmichael, G. T. Boag, A. H. A. Todd, E. S. Lloyd, J. Venkatanarayana Nayudu, C. P. Ramaswami Ayyar, Vasudeva Raja, P. Siva Rao, T. Somasundara Mudaliyar, S. T. Shanmukham Pillai, M. Krishnan Nayar, V. K. Ramanuja Achariyar, T. N. Sivgananam Pillai and last but not least, P. Subbarayan. Is it argued that those European and Indian Government servants, experts in revenue matters, and the distinguished predecessor of my hon. Friend, Sir Muhammad Habib-ul-lah, now a Member of the Government of India in charge of Land Revenue did not understand the Joint Parliamentary Committee's report and that land revenue is a reserved subject and that they were fools who were misled by mere election cries, as we are now said to be misled by election cries? Has this Government any policy, any consistency? Does this Government exist for any purpose than just carrying on beyond hand to mouth? Are these things done for no purpose at all? Did they not know what they were writing about? We call our fathers fools. Our wiser sons will call us so. It seems to me that the Government are trifling with us and playing with us. Why should they not represent to the Government of India the strong opinion of this House that these things should be done? Why should they not introduce this Bill, take the verdict of the House, and leave it to the Viceroy or the Governor-General, if he is so advised, to veto this piece of legislation?

"One argument, Sir, which this Government perpetually trots out for increasing the assessment of settlement is the rise in prices. That is the most heartless argument which any civilized Government can advance in favour of a rise in the taxes paid by some of the poorest in this country. Sir, the scheme of taxation in this country has always been to provide for the needs of the people. There is a saying in Sanskrit:—प्रजांनामेवभूत्यर्थं सताम्यो बलिमग्रहीत । Only that money which is required for their comfort and for their happiness is collected from the people as taxes. But this Government takes from the ryotwari landholders, the poorest among the people of this country, whatever they think can be squeezed out of them, because there has been a rise in prices. Apart from that, Sir, for the small tenant or the tenant farmer, the rise in prices is more often a suffering than a blessing. He has very little to sell. The fact that paddy sells higher does not benefit the man who has not got any paddy to sell; whereas the general rise in prices affects him adversely because he has got to pay higher prices for the elementary needs which even he must satisfy and the result is that rising prices work the other way about. His budget is becoming more and more difficult for him to balance, and in spite of it the Government say 'I must have my pound of flesh'. It seems to me that the Government of India should not be allowed to ride off on these pleas and to always say to the Local Government 'we do not propose to give you this permission to go on with this legislation.' To questions put on the floor of this House, the hon. the Revenue Member has turned a deaf ear. He has always told us that the matter is under correspondence between the Government of India and the Government of Madras. May I ask the Revenue Member at what stage that correspondence stands? Havet his Government readdressed the Government of India? if not, why not? If so, when did they address the Government of India? I think, Sir, these are matters in which, elections or no elections, provincial autonomy or no provincial autonomy, all of us, human beings, interested in the welfare of fellow human beings must tackle. I therefore venture to appeal to this House to support this motion. I know it will be carried. This is the last financial year in which the hon. Sir Marjoribanks will be dealing with this subject. I hope he will be translated to a higher position. Let him not leave this blank record that all the time he held the portfolio he was simply telling this House 'I cannot do this; I cannot do that.' I know he can do something if he has got the will. I appeal to him—more than I, he knows or ought to know the sufferings of the ryots of this province—to do something before he lays down his high office. With these words I venture to support this motion."

Mr. K. V. R. SWAMI:—"Mr. President, Sir, I am very glad that the hon. the Revenue Member has made this sort of peech. All these days we have been saying that nothing can be done by the Legislative Councils as they are now constituted. It has been the considered opinion of the congress that these Councils are of no use and that these Councils, constituted as they are, can do no good to the people. The hon. the Revenue Member explained only this position this morning. He says, 'situated as we are, we cannot hand over the right of fixing these rates to the Council. As long as we sit on the Reserved side, we must keep this right within our hands. Do what you can, speak what you like, we are not going to change this practice.' He says that, unless the constitution itself is changed, no Revenue

12th March 1929] [Mr. K. V. R. Swami]

Bill can be introduced into this House. That means that, as long as the people do not try to get better privileges, do not try to get swaraj, there is no hope for them. This has been the message of the Congress all these years. That message has been rightly interpreted by the hon. Leader of the House this morning. He delivers the same message. I am very glad that he has spoken in a manner which would clear all misapprehensions in certain quarters. Even outside this Council there are certain educated gentlemen and leaders of parties who always tell us 'you agitate in a constitutional manner; there is every hope for you. You can work wonders through Councils; you can do some little good to the people.' My hon. Friend, the ex-Minister used to say 'we can do something good even through these Councils.' He would now see that it is not possible at all. Even such an experienced officer, a person holding such a responsible position as the Leader of the House says that it is not possible under the present constitution. He says 'if I am here, I will be here as a responsible officer.' As a responsible officer I say I cannot hand over my rights to this Council though it may contain responsible gentlemen and good leaders. They may be very good representatives of the people but I have no faith in them; I have no faith in this Council; I have faith in myself; I have got faith in my ability to guide the destinies of this province. Situated as I am, I am not going to change the existing system. It may be that the Decentralization Commission recommended the introduction of the Land Revenue Bill. It may be that the Joint Parliamentary Committee had suggested that it was possible even under the present reforms to introduce and pass a Land Revenue Bill. It may be that a special committee set up by this very Council has recommended the introduction of a Bill, It may be that people of other provinces might have done so. But I am not going to do, on behalf of this Council, anything of that sort. This Government will introduce a Bill, if you want, incorporating all those rules that are generally observed in land revenue settlement. But I would never introduce a Bill which would give real right to this Council to fix the land revenue at any time. On a previous occasion the hon. the Revenue Member said that they informed the Government of India about the opinion of this Council on the matter and that the Governmemt of India came in their way. They said that this was a matter which would concern all the provinces and that this province could not be allowed to go ahead in this matter. When it was pointed out to the hon. Revenue Member that other provinces had introduced and carried similar Bills, he said that the circumstances in those provinces were different. This is not Central Provinces; this is not United Provinces; this is not Punjab. This House must know that this is Madras, where the Government can always get help from the party of Sir Patro for carrying every demand including this demand also. The Leader of the House thinks that the circumstances of this Province are quite different, since a party is always ready to support the Government. So he is not going to yield in this matter. In the circumstances, the only thing we can do in this matter is to prove to the hon. Leader of the House that we really feel what we say, that these are not election speeches, that these speeches are not intended to get votes outside this House. The only way of showing our feeling is to vote down every demand that is moved by him till he yields to the wishes of this Council.

"The hon. the Revenue Member would then realize that these speeches 1-15 p.m. are not only election speeches. I cannot blame those gentlemen who are now in the Treasury Bench and who made speeches while they were on this side, but they decided when they accepted office not to vote for what they said while

they were on this side. They now assume altogether a different role while occupying the Treasury Bench. Now nobody can help us in disillusioning us about this matter. The only other go is that we should go to the country and simply repeat what the hon. the Revenue Member has stated. Sir Patro of course spoke of Bardoli. I do not know how he can speak of Bardoli if he remembers what he did with regard to Guntur. We are not going to the extent of Bardoli if we can take care of ourselves here. We can very well congratulate ourselves with what the Justice party men say here on the eve of the election. I do not know why my hon. Friend Mr. Satyamurti has taken very seriously the remarks made by the Revenue Member. I am quite sure the Revenue Member will never misunderstand the position of the Opposition. When he was making those remarks I thought he meant the Justice party and, especially Sir Patro, when he said they were not very serious about this case. With these remarks I do support this motion."

Swami A. S. SAHAJANANDAM addressed the House in Tamil:—"கனம் தலைவர் அவர்களே, நிலங்களை அரசாங்கத்தார் ஏழைகளுக்கு விலைக்கு விற்கிறார்கள். அப்படி செய்யக்கூடாது. இலவசமாகவே கொடுக்கவேண்டும். ஆதிதிராவிடர்கட்கு கொடுக்கும் நிலங்கள் உண்மையாகவே கடலாக, மலையாக, மேடாக மனதிற்கு எட்டாத வண்ணமாயிருக்கிறது. அதனால் ஆதிதிராவிடர்கட்கு யாதொரு பயனுமில்லை. நல்ல நிலங்களாகக் கொடுத்துவிட்டால் மிகவும் சிரமப்பட்டு திருத்திய பிறகு தப்பாகக் கொடுத்துவிட்டார்களென ஏலம்போட ஆரம்பிக்கிறார்கள். ஏற்கனவே நிலங்களைத் திருத்த கடன் வாங்கியும் மனைவி மக்கள் கழுத்திவிருந்த தாலி முதலானவைகளை விற்றும் சிரமப்பட்டிருக்கும்போது திருத்திய நிலத்திற்குப் பணம் கட்ட முடியாமலும் திருத்திய நிலத்தை விடமுடியாமலும் கஷ்டப்படுகிறார்கள்.

"நல்ல நிலங்களை ஆதிதிராவிடர்கட்கு கொடுத்ததற்கு அவற்றை ஒதுக்கிவைக்க ஒரு ஸ்பெஷல் ஆபீஸரை ஏற்படுத்தவேண்டும். நிலங்கள் கொடுக்கும் விஷயமாக கிராம அதிகாரிகளை எந்தக் காரணத்தாலும் கேட்கக்கூடாது. கேட்டால் கிராம அதிகாரிகளும் அவர்களுக்கு வேண்டியவர்களும் தடுத்துவிடுகிறார்கள்.

"பாதிரிமார்களுக்கு ஏராளமாக நிலம் கொடுக்கிறார்கள். நாங்கள் கேட்டால் கிடைப்பதில்லை. சிதம்பரம் தாலூக்கா காட்டுமன்னார்கோயில் சமீபத்திலுள்ள நாரைக்கால் ஏரியை நந்தனார் கலாசாலைக்கும் உணவு விடுதிக்கும் கொடுக்கவேண்டுமென சுமார் 10 வருஷங்களாகக் கேட்டுவருகிறோம். அந்த நிலத்தை கனம் ஹோம் மெம்பரும் வந்து நேரில் பார்த்தார். அரசாங்கத்தில் பதிவான சபைக்கு சொற்பவிலைக்குக் கொடுக்கவேண்டுமென கனம் ரெவினியூ மெம்பரிடம் பல முறையும் கேட்டிருக்கிறோம். இது வரைக்கும் யாதொரு விமோசனமும் இல்லை. பல சட்டசபை அங்கத்தினர்கூடி அடிக்கடி மெம்பர்களிடம் கண்டுகேட்டும், அதுவும் சொற்பவிலைக்கு கேட்டும் நடைபெறவில்லையென்றால் ஏழை ஜனங்களுக்கு எவ்வாறு கொடுக்கப்போகிறார்கள். நிலம் கொடுக்கும் விஷயத்தில் அரசாங்கத்தாரிடத்தில் எங்கள் வகுப்பாருக்கு எப்படி நம்பிக்கையுண்டாகும். மைசூர் அரசாங்கத்தார் நிலம் கொடுத்து பொருளுதவியும் செய்கிறார்கள். ஆகையால் நிலங்களை விலைக்குகொடாமல் இலவசமாகவே ஆதிதிராவிடர்களுக்கு கொடுக்கவேண்டும்."

12th March 1929]

* The hon. the PRESIDENT :—"I take it that the House is ready for a vote. (After a pause.)

"The question is 'to reduce the allotment of Rs. 28,68,000 for Land Revenue by Rs. 100'."

The motion was put to the House and declared carried.

A poll was demanded and the House divided thus—

Ayes.

1. Diwan Bahadur P. Kesava Pillai.
2. Mr. A. B. Shetty.
3. Mahmud Schmnad Sahib Bahadur.
4. Mr. J. Kuppuswami.
5. ,, T. M. Narayanaswami Pillai.
6. ,, V. I Muniswami Pillai.
7. ,, W. P. A. Soundarapandya Nadar.
8. ,, S. V. Vanavudaiya Gounder.
9. ,, S. Arpudaswami Udayar.
10. ,, U. Ramaswami Ayyar.
11. Swami A. S. Sahajanandam.
12. Mr. V. Ramjee Rao.
13. ,, P. C. Venkatapati Raju.
14. ,, R. Srinivasa Ayyangar.
15. ,, Sami Venkatachalam Chetti.
16. ,, S. Satyamurti.
17. ,, C. V. Venkataramana Ayyangar.
18. ,, J. A. Saldanha.
19. ,, G. Harisarvottama Rao.
20. ,, C. S. Govindaraja Mudaliyar.
21. Abdul Hameed Khan Sahib Bahadur.
22. Mr. L. K. Tulasiram.
23. ,, K. V. R. Swami.
24. ,, D. Narayana Raju.
25. Dr. B. S. Mallayya.
26. Mr. K. Madhavan Nayar.
27. ,, P. Anjaneyulu.
28. ,, A. Parasurama Rao Pantulu.
29. ,, C. Ramasomayajulu.
30. ,, T. Adinarayana Chettiyar.
31. Mr. P. Bhaktavatsulu Nayudu.
32. ,, A. Kaleswara Rao.
33. ,, C. N. Muthuranga Mudaliyar.
34. ,, K. V. Krishnaswami Nayakar.
35. Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
36. Mr. C. Venkatarangam Nayudu.
37. ,, A. Ranganatha Mudaliyar.
38. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
39. Mr. T. C. Srinivasa Ayyangar.
40. ,, K. R. Venkatarama Ayyar.
41. ,, R. Nagan Gowda.
42. ,, B. Ramachandra Reddi.
43. Rao Bahadur Sir A. P. Patro.
44. Diwan Bahadur P. C. Ethirajulu Nayudu.
45. Mr. P. T. Rajan.
46. Rao Bahadur S. Ellappa Chettiyar.
47. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
48. Khadir Mohidin Sahib Bahadur, Mahammad.
49. Diwan Bahadur S. Kumaraswami Reddiyar
50. Khan Sahib T. M. Moidoo Sahib Bahadur.
51. Rao Bahadur B. Muniswami Nayudu.
52. Zamindar of Mirzapuram.
53. Kumararaja of Venkatagiri.
54. Mr. A. V. Bhanoji Rao.

Noes.

1. The Hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. Mr. Hilton Brown.
6. ,, H. A. Watson.
7. ,, C. A. Souter.
8. ,, S. H. Slater.
9. ,, A. McG. C. Tampoe.
10. ,, C. W. E. Cotton.
11. Mr. V. Ch. John.
12. ,, J. Bheemayya.
13. ,, P. J. Gnanavaram Pillai.
14. ,, Kumaran Raman.
15. Zamindar of Singampatti.
16. Subadar-Major S. A , Nanjappah Bahadur.
17. Mr. N. Siva Raj.
18. Rao Sahib L. C. Guruswami.
19. Mr. S. Subrahmanya Moopanar.
20. ,, R. Srinivasan.
21. ,, S. N. Dorai Raja.

Neutral.

1. The hon. Mr. S. Muthiah Mudaliyar
2. ,, Dr. P. Subbarayan.
3. Mr. M. A. Mannikkavelu Nayakar.
4. Syed Tajudin Sahib Bahadur.
5. Mr. K. Krishnan.
6. ,, F E. James.
7. ,, R. T. C. Robertson.

Ayes 54. Noes 21. Neutral 7.

The motion was carried.

[12th March 1929

* Subadar-Major S. A. NANJAPPAH Bahadur :—"I move to reduce the allotment of Rs. 28,68,100 for the Land Revenue by Rs. 100. Mr. President, Sir, I want to plead the cause of the men who served in the Great War. Many Government Orders were passed for granting lands to ex-army men, but not for non-combatants who have also served in the war and even in the war zone. They won medals and the King and Queen also sent letters of condolence and the Bronze Plate to the relations of these non-combatant ex-sepoys who died in the war. As regards the grant of lands, I have recommended many cases and probably the revenue officers of the district, in accordance with the Government of India's orders are not considering the claims of non-combatants favourably. Sir, when they worked as military men, even though only as non-combatants, they should also be given the same concessions in regard to the grant of lands, and especially when there are lands available and owing to the fact that they served the Crown and the country at a time of need. I can quote many instances of this poor class of people who died in the war overseas. In one case the Government were good enough to give Rs. 300 to a man whose son died overseas during the war as a non-combatant. He is about 75 years old now. The amount of Rs. 300 was given to him some three years ago and the poor man spent all that and came to me and asked for help. The poor man is now in rags and now he is begging alms in the streets. I have recommended his case to Government for a further grant of money or for a pension, as I am an honorary Correspondent to the District Soldiers' Committee of Salem and also to the Madras Soldiers' Board, but the poor man's claim was not considered. So many other people also are applying for lands, but men who have served the Government during the war even as non-combatants ought to be eligible for the concession first and preference should be given to these men against non-military men. So I recommend to Government that the claims of such people should be favourably considered by Government and that there should be a rule to that effect. The Standing Orders of the districts also should be suitably amended. When the lands are assigned to these people, no assessment should be charged for the first three years in order to enable them to reclaim the land and make it fit for cultivation."

* The hon. the PRESIDENT :—"The hon. Member will continue his speech after the lunch interval."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

* Subadar-Major S. A. NANJAPPAH Bahadur :—"Sir, as I said before, the medals that are given to these non-combatants are the same in pattern as those given even to high officers in the army, i.e., there is no difference between the medals given to a higher Military officer, and the non-combatant sepoy and they are given only to those who have served during war overseas. I submit that the families of those non-combatant ex-sepoys who died overseas should be given the same privileges. The combatant ex-sepoys are allowed an extent of 10 acres of land ; the non-combatants should be allowed at least 5 acres of land. Then Sir, the land assessment due to Government should not be claimed by Government until after the expiry of three years from the date of assignment. This is due to the fact that most of the lands are barren and they require a great deal of

12th March 1929] [Mr. S. A. Nanjappah]

labour and expense before they could be brought under cultivation. I know Government are lending sums of money to agriculturists in this direction, and as these ex-army men are very poor, I hope they will help them to their utmost. I hope Government will consider this matter and make some arrangement for this and also make the necessary amendments and alterations in the Board's Standing Orders."

Mr. ABDUL HAMEED KHAN :—"I second the cut motion of my hon. Friend over there for the following reasons. Sir, the House may remember that last year I tabled a large number of interpellations on behalf of the large number of non-combatants who were not given the same privileges that were given to the combatants who served during the last war and in other wars either overseas or elsewhere. I do not know what it is that prompted Government to make this distinction. As a matter of fact, if the combatants suffered and undertook risks the non-combatants also undertook the same risks because they were placed under the same disadvantageous position as the combatants. The only difference that could be found between them is that the combatants actually fought the battle, while non-combatants did not; but without the non-combatants behind them it would be impossible for the combatants to go on with the war. Sir, this is the real grievance of the non-combatants. Besides the fact that lands are not assigned to these non-combatants, even the privileges which the combatants enjoy, after they are discharged or when they leave their offices, are denied to these non-combatants. With regard to appointments in the various departments of Government the claims of the non-combatants are not recognized at all, while those of the other are recognized. Nobody cares for their claims and nobody has any regard to the services which they have rendered. For these reasons I strongly support the cut motion."

* The hon. the PRESIDENT :—"The question is 'to reduce the allotment of Rs. 28,68,000 for Land Revenue by Rs. 100'."

* Mr. J. A. SALDANHA :—"Sir, I strongly support this motion. And when I do so hon. Membees should not think that I or those who support this motion are delivering electioneering speeches. (Laughter.) For similar speeches have been made in this House frequently, and if you look into the reports for 1927, 1926 and 1925 you will find them; and I shall read a speech on this matter from the report for the year 1925 if the hon. the President will allow me to do so. (Laughter.) At that time, Sir, . . ."

* The hon. the PRESIDENT :—"Quotation of speeches as far as they are relevant to the topic are certainly allowed." (Laughter.)

* Mr. J. A. SALDANHA :—"At that time I drew attention to the supreme indifference, I may even say, callous indifference, of the Government to the claims of these ex-army men. Whenever they put forward their grievances they are given evasive replies, so much so one might say Government are treating them very shabbily. And if another war breaks out I doubt much whether any men will come forward as soldiers. Sir, the distinction between a combatant and a non-combatant was introduced as a result of the speech of Sir Arthur Knapp. But I doubt much whether he drew a distinction between one who has actually been a soldier and one who has not. I understand Government concessions are given to those who are classed as combatants. I know of a case where one was a combatant, but when he came

[Mr. J. A. Saldanha] [12th March 1929

to the Collector of South Kanara he asked him whether he had actually served as a soldier. Sir, it was never intended by Government that this construction should be put on this term.

" Then, Sir, with regard to the assignment of lands to these men, most of their applications are rejected under the plea of time-bar. Sir, most of these people were out of India when the offer was made, and they were completely ignorant of these rules. The House must remember that 90 per cent of the people who ask for assignment of land are very poor, and it is strange that, knowing their condition full well, all sorts of obstruction tactics are played in the assignment of lands. Suppose a plot of land is assigned, what happens. The piece of land is situated far away from the abode of the person, and when he goes there he finds it to be completely useless for cultivation, and he sees it cannot be brought under cultivation without spending considerable sums of money on it. In some cases the soil is rocky, and so the land has to be abandoned. I know of certain cases where the land has turned out to be unproductive and when another plot of land was asked for even at the risk of losing the amount already spent on the unproductive land the demand was not complied with but was rejected on the ground of limitation. Sir, it is high time that such methods are ended. Let Government bear in mind that when next time the war comes they cannot get any men. Sir, here is another instance in which Government have broken their pledges.

" Sir, in support of this motion I shall quote the speech of the hon. the Home Member

" He goes on to say—

2-45 p.m. ' Because if it so happens that while the control of the actual distribution of land to ex-military men and the depressed classes lies in the hands of my Colleague, the Revenue Member, I am, if I may say so, the godfather of both and it falls to me to press their claims. I can assure my hon. Friend that, so far as I am concerned, I am quite ready to press the claims of both the ex-military men and the depressed classes. If a choice has to be made as between the two, I think that we shall agree that preference should be given rather to the individual soldier, to whom we have made a definite promise, than to the members of the ex-military men ; we have made a perfectly definite promise and we are quite prepared to carry it out.

" Particularly the word ' soldier ' was used by Sir Arthur Knapp and this motion wants that that privilege should be continued to ex-military men other than soldiers. I do not want to repeat the speeches and arguments urged in the past, and I hope they will not fall on deaf ears. Let the hon. the Home Member or the Revenue Member, whoever may be in charge of the welfare of the people in this matter, not say that these are all electioneering speeches. Most of these ex-military men are so poor that they have no vote at all. Once more I may say that this is a crying evil and the proposal contained in this motion, I hope, will be carried out."

Mr. K. V. R. Swami :—" Mr. President, I have much pleasure in supporting this motion. Here a distinction is sought to be made between combatants and non-combatants. All sorts of ingenious arguments are put forward in depriving these poor people of what they were promised before. It is usual for people, especially for the British nation, to make large promises when they are in trouble. But when they are out of trouble, they always disappoint all those people in whose favour the promises were made. First they promised self-determination for all the people who supported them, when they were in trouble. That trouble was not any simple ordinary trouble. But it was a time when they were about to lose their freedom, and when England was about

12th March 1929] [Mr. K. V. R. Swami]

to become a subject country to Germany. They made all sorts of promises then. They cried out for help, saying 'Come, come and help us; we are in trouble; we are going to be deprived of our freedom. If you help us in retaining our freedom, we are going to give you self-determination; we will give you lands, reforms, concessions, anything in the world that you may ask for'. That trouble was over and all sorts of ingenious arguments are found to deprive people of what they had been promised. Unfortunately, these non-combatants also furnish an instance in point. Now, with regard to these ex-soldiers and non-combatants a distinction is sought to be made. But we must remember that in the last war the soldiers never saw their opponents at all. They were several miles away, sometimes 10 or even 20 miles distant from the enemy. The enemies did not fight with each other. Only the artillery, their bombs, and their æroplanes fought the battle. But the soldiers buried themselves under the ground. They never saw each other. It was more a work of artillery than anything else. In these circumstances and exigencies, the non-combatants were as much exposed to the risk as the combatants. We induced several people to join the army when the war was going on. If they were rich people, we induced them to lend money. They asked the question 'supposing the British people are going to be defeated, who is going to pay back our debts? Will the Germans pay?' And we used to reply that the British would pay or the Germans would pay. We encouraged not only the depressed classes but even educated people who had some military blood in their veins to go to the war and help the British as non-combatants if not as combatants. They all went and fought and helped in this great war, and they returned. And now, hon. Members, comfortably seated on the Treasury Bench, say 'This man is not a combatant, this man has not done service as soldier, this man has not applied within the time limit, and so on'. It must be remembered that it is only the survivors that are asking for these privileges. The people who fought and did not return cannot ask for these things. As the hon. Member put it, these survivors are starving, and their children are going a-begging. They survived the war and they have returned, and they ask for lands. But the Government say that their applications are not in proper form or that they should pay the value of the trees on the lands and so on. Some of them are shown lands which are quite worthless. This is the trick they are playing. Why all these subterfuges? Why not help these people who offered their very lives for the sake of England. It was not for India they fought. So far as India was concerned, her fate was not at stake at all, because, at worst, it would mean one foreign yoke for another. Had it not been for India's help England would certainly be in the same state in which we are to-day, and German officials would be getting up from the Treasury Benches and would be giving the same answers as we are getting every morning and afternoon. All these things they have to remember. After all, it is not England that is going to give them anything. It is we who are representing the people here that are asking for this privilege for these ex-military men. Please give them something from the treasury, some help to these poor people who fought for you, for England. They think that they will continue here as long as the world lasts. They must have every bit of land, they must retain every pie. I may repeat, they have got the special knack of disappointing people. They first of all cajole the people and promise this thing and that and, after the trouble is over, the people are sure to get disappointed. I know

of a friend of mine who had been serving in the Postal department, a school final man drawing about Rs. 30 at that time. He went to the war as a non-combatant and worked for four years and returned. He lost his job. He applied here, there and everywhere but failed. He then applied for land. They once showed half an acre in one taluk and another half acre in another taluk. That man did not like to have such a land. Then they showed him another land which was full of palmyra trees, and they asked him to pay the value of all those trees. But he considered the land not to be worth the amount to be paid for the trees. So he left it. He is without employment, without land, roaming in the streets now. If he had continued in the Postal department he would have been drawing Rs. 100 in the usual course now. Finally he applied to a civil court and got a post of an amin on Rs. 15 or so. The man became a bankrupt. When such a man applied for land, he was told that he was not in time or that he was a non-combatant. They said 'You please yourself, you may go wherever you like. We have framed a rule stating that non-combatants should not get anything. We showed some concession for a certain period. That period is now passed. Go away'. All the politicians who expected to get something for the war service were told that they would not be given self-determination. Even those who took real part in the war and fought on the side of the British nation and served very well, I hope will learn a lesson in the next war if it comes at all."

* Mr. G. Harisarvottama Rao:—"I move that the question be now put."

* The hon. Sir Norman Marjoribanks:—"Mr. President, Sir, I am most agreeably surprised by the speeches that we have heard which show that there is so much support for this motion, or the proposal that underlies this motion. The original order of Government was that persons who had served in connexion with the great war either as combatants or as non-combatants were to be eligible for land on darkhast, and instructions were issued all over the Presidency to that effect. Time passed and after three years there were several complaints that land had been held up, that people could not get land in the villages, that the karnams were telling ordinary ryots that the lands were reserved for ex-soldiers and that they were telling ex-soldiers that lands were not available and so on. The Government then confined the concession to combatants alone. Finally, after another three years had passed, it was made a permanent rule that a man who served as combatant should have a preferential claim under the darkhast rules. I understand now that what Mr. Nanjappa wishes is that non-combatants who received medals for their services in the war should also receive this preferential claim. The Government would be very glad to do that and to order accordingly. But I am only suggesting that hon. Members should realize what the consequence is likely to be. The land available is not unlimited, and this extended concession would mean that there will be less chances for even the combatants to get land, for it will have to be distributed among these other people as well. In addition to these there are people who did not go to the war at all even as non-combatants, but who perhaps bore their share in it in an indirect way, and they will lose their chance of getting land. As I said, I am quite willing to issue orders that non-combatants who have got medals should be granted the preferential claim that is at present enjoyed by combatants."

12th March 1929]

* Subadar-Major S. A. NANJAPPAH Bahadur :—"In view of the assurance given by the hon. the Revenue Member (dissenting interruptions), I beg leave to withdraw the motion."

* The hon. the PRESIDENT :—"Has the hon. Member the leave of the House to withdraw the motion."

Voices :—"No, no."

The motion was then put to the House and declared carried.

* The hon. Sir Norman Marjoribanks demanded a poll and the House divided thus :— 3 p.m.

Ayes.

1. Subadar-Major S. A. Nanjappah Bahadur.
2. Mr. P. C. Venkatapati Raju.
3. ,, R. Srinivasa Ayyangar.
4. ,, Sami Venkatachalam Chetti.
5. ,, S. Satyamurti.
6. ,, C. V. Venkataramana Ayyangar.
7. ,, J. A. Saldanha.
8. ,, G. Harisarvottama Rao.
9. ,, Basheer Ahmed Sayeed Sahib.
10. ,, Abdul Hameed Khan Sahib.
11. ,, L. K. Tulasiram.
12. ,, K. V. R. Swami.
13. ,, D. Narayana Raju.
14. Mr. K. Madhavan Nayar.
15. ,, P. Anjaneyulu.
16. ,, A. Parasurama Rao.
17. ,, C. Ramasomayajulu.
18. ,, T. Adinarayana Chettiyar.
19. ,, P. Bhaktavatsulu Nayudu.
20. ,, A. Kaleswara Rao.
21. ,, Narayana Rao, Mothay.
22. ,, C. N. Muthuranga Mudaliyar.
23. ,, K. V. Krishnaswami Nayakar.
24. ,, C. Venkatarangam Nayudu.
25. Diwan Bahadur R. N. Arogyaswami Mudaliyar.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. S. Muthiah Mudaliyar.
6. ,, Dr. P. Subbarayan.
7. Dr. (Mrs.) Muthulakshmi Reddi.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. ,, C. A. Souter.
11. ,, S. H. Slater.
12. ,, A. McG. C. Tampoe.
13. ,, C. W. E. Cotton.
14. ,, M. A. Manikkavelu Nayakar.
15. Syed Tajuddin Sahib Bahadur.
16. Mr. C. D. Appavu Chettiyar.
17. ,, A. B. Shetty.
18. ,, J. Bheemayya.
19. ,, P. J. Gnanavaram Pillai.
20. Mahmud Schamnad Sahib Bahadur.
21. Mr. Muppil Nayar.
22. The Zamindar of Singampatti.
23. Mr. T. M. Narayanaswami Pillai.
24. ,, K. Krishnan.
25. ,, N. Siva Raj.
26. Rao Sahib L. C. Guruswami.
27. Mr. V. I. Muniswami Pillai.
28. ,, W. P. A. Soundara Pandia Nadar.
29. ,, S. Subrahmanya Moopanar.
30. ,, S. Venkiah.
31. ,, R. Srinivasan.
32. ,, F. E. James.
33. ,, S. Arpudaswami Udayar.
34. ,, U. Ramaswami Ayyar.
35. Swami A. S. Sahajanandam.
36. Mr. B. Ramachandra Reddi.
37. Rao Bahadur Sir A. P. Patro.
38. Diwan Bahadur P. C. Ethirajulu Nayudu.
39. Mr. P. T. Rajan.
40. ,, T. K. Chidambaranatha Mudaliyar.
41. Rao Bahadur S. Ellappa Chettiyar.
42. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
43. Muhammad Khadir Mohidin Sahib Bahadur.
44. Diwan Bahadur S. Kumaraswami Reddiyar.
45. Khan Sahib T. M. Moidoo Sahib Bahadur.
46. Rao Bahadur B. Muniswami Nayudu.
47. The Zamindar of Mirzapuram.
48. The Kumara Raja of Venkatagiri.
49. Mr. A. V. Bhanoji Rao.

Ayes 25. Noes 49.

The motion was lost.

* Mr. A. KALESWARA RAO :—"I rise to move—

'*for the reduction of the allotment of Rs.* 28,68,000 *for Land Revenue by Rs.* 100 (to discuss the necessity for introducing an amending Bill to the Madras Estates Land Act, to redress certain grievances of the ryots.')

[Mr. A. Kaleswara Rao] [12th March 1929

"Sir, there has been a talk going on for years together that the Madras Estates Land Act would be amended; and some time back a committee was also appointed by the Government. Mr. Biswanath Das, one of the members of the committee, has complained in the press that the recommendations of the committee were not favourable to the ryots but more favourable to the zamindars. From an interpellation put in this Council the other day we understand that the recommendations of this committee have been forwarded to the Board of Revenue. These recommendations have not been placed before this House. This House has not been taken into confidence. Somehow, the amending Bill to the Act has been postponed from time to time without being introduced.

"The question of the zamindari ryots is as important as the problem of the ryots under Government. In zamindari areas, the Government in introducing a permanent settlement by the Permanent Settlement Regulation of 1802, conferred a permanent status on the zamindar permanently fixing the peshkash. It was the duty of the Government to give fixity of tenure to the ryots and to fix the kist to be paid by them. But this was not done. The Government neglected the interests of the ryots. In 1864, they introduced the Rent Recovery Act. It did not give any relief to the ryots, and the ryots had to go to Courts to get their grievances redressed. For a long time till 1908, that is, for more than a century, the zamindar rackrented the tenants and increased the kists from period to period and various contracts were entered into with these tenants. These tenants being very poor could not meet the demands of the zamindar and the result was that they were ejected from the land. In that way the zamindar took undue advantage of the poverty of the ryots. (The Zamindar of Gollapalli: 'No.'). There was a crying need for relief to these people. The ryots had to go to Courts. The Courts made certain presumptions in favour of the occupancy rights of ryots. It was only on those presumptions that the ryots could succeed in some cases. But what happened was that several of the ryots became very poor. The zamindars created divisions amongst ryots giving them various temptations, and many ryots were ruined as a result of litigation. In 1908, the Estates Land Act was passed conferring occupancy rights and also fixing the rents that they were to pay and also prohibiting contracts contrary to the spirit of the Act. Still, there are many things in the Estates Land Act which press hard on the ryots. There are certain sections in it with regard to old waste, private lands and so on which are obscure. Different interpretations are put upon them which lead to litigation, and the ryots get ruined. For instance, the ryots have no rights in pasture lands or forest land of the village or even in tank beds. There have been frequent disputes over these things. All these things have to be considered in the amending Bill. In old days village communities existed before Government conferred permanency of estates on the zamindars, communities who were really the owners of all lands, not only cultivated but also pasture land, forest and communal lands, because every inch of land belonged to the ryots. The zamindar has only the melwaram rights and can only take kists from them. As for forest and communal lands which are very necessary to the ryots for grazing their cattle or for getting fuel or getting wood for agricultural implements the zamindars are the managers. So when the Government conferred these estates on the zamindar, they ought to have safeguarded the interests of the ryots. In the Estates Land Act, which was the result of a compromise between the zamindar's interests and the ryot's

12th March 1929] [Mr. A. Kaleswara Rao]

interests, they could not go far enough. The ryots have no right to go to the forests except at the will and pleasure of the zamindar, they cannot get fuel for cooking or timber for agricultural implements. Tank beds can be disposed of by the zamindars as they pleased. Therefore, whenever a tank gets out of repair, the zamindar does not care to repair it. He can also enhance the rent once in twenty years. There are occupancy and non-occupancy lands. All these things can be clearly defined and the ryots' condition improved only by an amending Bill to the Estates Land Act. Even the definition of estate is not clear in certain cases. With regard to old wastes even experienced lawyers find great difficulty in interpreting it. During the interval of a century, the zamindars caught hold of several lands and claimed them to be private. Then there is another difficulty. There is no remission for the ryots. That is the interpretation of the Courts. So a Bill to remedy all these evils is a crying need. The Government are guilty of culpable negligence in postponing this necessary legislation. This Bill is as necessary as the Land Revenue Bill. In the Northern Circars, in many portions also, the zamindari tenure was introduced first by Government in 1802. It was only afterwards that the Government grew wiser and introduced the ryotwari tenure. Therefore, I submit that the zamindari ryots deserve very great consideration at the hands of the Government, and an amending Bill to the Madras Estates Land Act is as necessary and as important as a Land Revenue Bill."

* Mr. C. Ramasomayajulu :—" Sir, I rise to second this motion, on the ground that a proper amending Bill to the Estates Land Act has not been placed before the Council as yet. The history of this amending Bill is very curious. It is a legacy from the old council to the present council. Although more than two years have elapsed since the legacy was bequeathed to us, it is a sad thing that the Government have not seen their way to pilot this Bill in the House. To the various interpellations put by non-official Members upon this matter, the replies given have been of a prevaricating nature, sometimes to the effect that it was in the course of drafting, sometimes to the effect that they are awaiting the report of the Board of Revenue. The whole object is to shelve the matter once for all. So far as the Madras Estates Land Act is concerned, it is an unfortunate Act which has been conceived and drafted in a most unbusinesslike and unskilful manner, so much so difficulties very often arise in its application. For instance, I may refer to one or two anomalies. With regard to the several clauses of section 3, frequent controversies have arisen as to their interpretation and the decisions of the several Courts are of a very conflicting nature. This section has given very much trouble to the Judiciary.

" All this is due to the fact that the Act is not clearly worded. May 3–15
I point out in this connexion one other important matter in which people p.m.
are feeling a real difficulty with regard to the Estates Land Act. It is this. There is no provision in the Act for a separate registration of a purchaser of a portion of a patta land. It therefore happens that in the zamindar's books the patta stands in the name of the old pattadars, the registered owner of the land and this causes a real grievance. If any person happens to purchase a portion of the patta land and if the rent on the same happens to be unpaid by another co-pattadar a notice is not served on the purchaser but on the person in whose name the land was originally registered and the rights of the purchaser who is often an absentee

[Mr. C. Ramasomayajulu] [12th March 1929

are not recognized. So it happens that things are done behind the back of the person having a real interest in the land with the result that the land is sold without his knowledge to realize the revenue due to the zamindar. This is a most unfortunate thing, Mr. President. This is a most anomalous position which ought to be remedied at once.

"There are a number of other things which need clearing up in the matter of the Estates Land Act The Government have been holding out hopes that a Bill will be introduced in the Council. There was even a draft Bill which was passed on to the Select Committee but has not been published, we know not why. We do not know also how far the Select Committee have progressed and in what stage it is and we do not think that it is likely that it will be introduced before the lifetime of this Council. I submit, Mr. President, that this is a very serious matter which the Government ought to take in hand at once."

* The ZAMINDAR OF GOLLAPALLI :—"On behalf of the zamindars I desire to state to the House that we are for amending of the Estates Land Act. But I must also submit to this House that the facts now stated by the hon. Members are rather exaggerated and are also not free from misrepresentations. I can only say that we are as anxious to get the grievances of the ryots remedied on equitable terms as soon as possible as the other Members of the House, that profess to be their friends. So I am sorry we cannot vote for the motion."

* The hon. Sir NORMAN MARJORIBANKS :—"I find that a committee was appointed in the year 1924 (Mr. Harisarvottama Rao : 'As long ago as that') to consider the alterations and amendments to be made in the Estates Land Act. That committee, Sir, drafted a Bill containing their suggestions, and I understand that the drafting of the Bill was completed at the end of May 1928, that is after a lapse of four years. The Bill as drafted was sent to the Board of Revenue for their remarks. Government could not consider the subject without knowing what the Collectors and the Board of Revenue had to say on the subject. These reports were received at the beginning of this year and the subject was ready for the Government only last month, and is now under their consideration. It is very easy to suggest, I think, that some speedier method might have been adopted in disposing of this subject but it is now too late to think of what might have been done. I can only state that the Government have now to consider the thing for the first time and that the proposals of the committee will be considered by the Government. As I said before, I do not like to prophesy when this will be completed One can answer for oneself and not for other people. I cannot say whether it will be possible to complete it during the lifetime of the present Council and get the sanction of the Government of India if necessary and also whether there will be any chance of introducing it. But one thing I will say is that we propose to give precedence to the Malabar Tenancy Bill."

Mr. K. V. R. SWAMI :—"Before the Zamindar of Gollapalli spoke on the subject there was some suspicion in certain quarters whether the zamindars have something to do with this Bill. But now it has been made clear that so far as hon. Members of the House are concerned that the zamindars themselves are anxious not to delay the matter any longer. But the hon. Member in charge of the portfolio, in his usual way, says, he cannot prophesy though four years have elapsed since the drafting of the Bill commenced. And how many more years it would take before this Council

12th March 1929] [Mr. K. V. R. Swami]

comes to a decision in this matter it is impossible to conceive. This is an urgent matter and the ryots are very anxious. Though the zamindars themselves are willing to have the matter settled soon the Government are not prepared to make up its mind to move in this matter. It was expected when this Council met for the first time that it would be the first Bill that would be discussed by this Council. The gentleman who was in charge of the portfolio before the present occupant was saying that he would introduce it as early as possible. Every time he used to repeat the words 'as early as possible.' Whether the Bill will be introduced within the lifetime of this Council or not is not also known. We are very anxious about it. Anyhow we hope that the Bill will be introduced at least during the lifetime of the present Council and that this Bill will see the light of day and the Government will come to a decision as early as possible."

* The hon. the PRESIDENT :—" The question is 'to reduce the allotment of Rs. 26,68,000 for Land Revenue by Rs. 100'."

The motion was put and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

1. Diwan Bahadur P. Kesava Pillai.
2. Mr. V. Ramjee Rao.
3. ,, P. C. Venkatapati Raju.
4. ,, R. Srinivasa Ayyangar.
5. ,, Sami Venkatachalam Chetti.
6. ,, S. Satyamurti.
7. ,, C. V. Venkataramana Ayyangar.
8. ,, J. A. Saldanha.
9. ,, G. Harisarvottama Rao.
10. Basheer Ahmed Syed Sahib Bahadur.
11. Abdul Hameed Khan Sahib Bahadur.
12. Mr. L. K. Tulasiram.
13. ,, K. V. R. Swami.
14. ,, D. Narayana Raju.
15. Dr. B. S. Mallayya.
16. Mr. K. Madhavan Nayar.
17. Mr. P. Anjaneyulu.
18. ,, A. Parasurama Rao Pantulu.
19. ,, C. Ramasomayajulu.
20. ,, T. Adinarayana Chettiyar.
21. ,, P. Bhaktavatsulu Nayudu.
22. ,, A. Kaleswara Rao.
23. ,, C. N. Muthuranga Mudaliyar.
24. ,, C. Venkatarangam Nayudu.
25. ,, A. Ranganatha Mudaliyar.
26. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
27. Mr. T. C. Srinivasa Ayyangar.
28. ,, K. R. Venkatarama Ayyar.
29. ,, R. Nagan Gowda.
30. ,, C. Gopala Menon.
31. Rao Bahadur B. Muniswami Nayudu.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. S. Muthiah Mudaliyar.
5. ,, Dr. P. Subbarayan.
6. Mr. Hilton Brown.
7. ,, H. A. Watson.
8. ,, C. A. Souter.
9. ,, S. H. Slater.
10. ,, A. McG. C. Tampoe.
11. ,, C. W. E. Cotton.
12. ,, V. Ch. John.
13. ,, M. A. Manikkavelu Nayakar.
14. Syed Tajudin Sahib Bahadur.
15. Mr. J. Bheemayya.
16. ,, P. J. Gnanavaram Pillai.
17. Muhammad Schamnad Sahib Bahadur.
18. Mr. Muppil Nayar of Kavalappara.
19. The Zamindar of Singampatti
20. Subadar-Major S. A. Nanjappah Bahadur.
21. Mr. T M. Narayanaswami Pillai.
22. ,, N. Siva Raj.
23. Mr. M. V. Gangadhara Siva.
24. Rao Sahib L. C. Guruswami.
25. Mr V. I. Muniswami Pillai.
26. ,, S. Subrahmanya Moopanar
27. ,, S. Venkiah.
28. ,, R. Srinivasan.
29. ,, W. O. Wright.
30. ,, F. E. James.
31. ,, R. J. C. Robertson.
32. ,, S. Arpudaswami Udayar.
33. The Zamindar of Kallikota.
34. Mr. U. Ramaswami Ayyar.
35. Swami A. S. Sahajanandam.
36. Rao Bahadur Sir A. P. Patro.
37. Rao Bahadur S. Ellappa Chettiyar.
38. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
39. Muhammad Khadir Moideen Sahib Bahadur.
40. Khan Sahib T. M. Moidu Sahib Bahadur.
41. The Zamindar of Mirzapuram.
42. The Kumara Raja of Venkatagiri.
43. The Zamindar of Gollapalli.
44. The Zamindar of Seithur.

[12th March 1929

Neutral.

1. Dr. (Mrs.) Muthulakshmi Reddi.
2. Mr. S. V. Vanavudaya Gounder.
3. Diwan Bahadur P. C. Ethirajulu Nayudu.

Ayes 31. Noes 44. Neutral 3.

The motion was lost.

* Rao Bahadur B. MUNISWAMI NAYUDU :—" Sir, I beg to move the motion standing in my name, viz.

'*To reduce the allotment of Rs.* 52,100 *for Charges of Administration by Rs.* 100.'

3-30 p.m. " The object of my motion is to draw the attention of Government to certain roads which were vested in the local bodies under the Local Boards Act, but which, because the local boards were not able to maintain and supervise and prevent encroachments upon, were taken over by the Revenue Department under a notification issued about two years ago. Consequently, the right to control or prevent encroachments upon them became vested in the Revenue Department. For the last two years the local boards have been taking up the reconstruction and improvement of village roads and cart-tracks, but they have not got the right to enter upon such roads without the consent of the Revenue Department. Recently orders have been passed laying down conditions under which local boards may enter upon such road porambokes. One of those conditions is that these road-porambokes should be first demarcated, surveyed and handed over to the local board before it entered upon it, and secondly, the cost involved in such survey has to be paid by the local body. These porambokes when they were taken possession of by the Revenue Department were neither surveyed nor paid for by the department. But now when the local boards, for the benefit of the people, want to repair these roads and cart-tracks, and ask for the restoration of these porambokes to them the department is asking them to pay for survey charges. The result is additional expenditure for the local boards and delay. We want to avoid them.

" In certain cases the Revenue Department have insisted upon the value of trees on such road porambokes being paid by the local boards. When these trees became vested in the Revenue Department they paid nothing and therefore I do not see why when they are asked to restore them back to the local boards who are willing to maintain these roads the local boards should be asked to pay the value of such trees. On this point some of us saw the Secretary to the Revenue Department and also the Secretary to the Local Self-Government Department and they were pleased to say that they would issue a notification that in cases where the local boards have agreed to or have a programme for restoring such roads they should be re-vested in the local boards. I request the hon. the Revenue Member to tell us whether such re-vesting of the cart-tracks and porambokes will be made as a matter of course whenever a local board says that it will take them and maintain them. I request also that the necessity for surveying before local boards enter upon such porambokes may not be insisted upon. I suggest that if necessary after the roads are improved the Government can have them surveyed and demarked. But surely no compensation should be insisted upon for the trees. I want to elicit information on these points from the Government and request them to take action as early as possible. In cases where the local boards want to restore the roads the Revenue Department should hand over the porambokes without throwing any difficulty whatever and without delay."

12th March 1929]

* Mr. S. Arpudaswami Udayar :—" I second the motion."

* The hon. Dr. P. Subbarayan :—" Mr. President, this matter has been engaging the attention of the Government and it has now been decided that in the matter of these roads, the value of the trees—I see that is one of the points raised by the hon. Mover—should not be charged when they are given back to the local bodies for the purpose of forming roads. The question of survey is more difficult, because there are waste lands adjoining these which may not be necessary for the formation of the roads. I had now a talk with the hon. the Revenue Member and we are quite willing to have the survey after the road is formed so that we will exactly know how the road is going to be formed and what will be the portion required for the purpose. I think under these circumstances my hon. Friend will have no objection to withdraw the motion."

The motion was put and declared carried.

A poll was demanded and the House divided thus :—

Ayes.

1. Mr. J. Kuppuswami.
2. ,, W. P. A. Soundara Pandia Nadar.
3. ,, P. C. Venkatapati Raju.
4. ,, R. Srinivasa Ayyangar.
5. ,, S. Satyamurti.
6. ,, C. V. Venkataramana Ayyangar.
7. ,, J. A. Saldanha.
8. ,, G. Harisarvottama Rao.
9. ,, Basheer Ahmed Sayeed Sahib.
10 ,, Abdul Hameed Khan.
11. ,, L. K. Tulasiram.
12. ,, K. V. R. Swami.
13. ,, D. Narayana Raju.
14. ,, K. Madhavan Nayar.
15. ,, P. Anjaneyulu.
16. ,, A. Parasurama Rao.
17. ,, C. Ramasomayajulu.
18. ,, T. Adinarayana Chettiyar.
19. Mr. P. Bhaktavatsulu Nayudu.
20. ,, A. Kaleswara Rao.
21. ,, A. Ranganatha Mudaliyar.
22. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
23. The Zamindar of Gollapalli.
24. Mr. T. C. Srinivasa Ayyangar.
25. ,, P. Siva Rao.
26. ,, R. Nagan Gowda.
27. ,, C. Gopala Menon.
28. Diwan Bahadur P. C. Ethirajulu Nayudu.
29. Rao Bahadur S Ellappa Chettiyar..
30. Rao Bahadur B. Muniswami Nayudu.
31. Mr. S. Arpudaswami Udayar.
32 ,, U. Ramaswami Ayyar.
33. ,, V. Ramjee Rao.
34. Diwan Bahadur P. Kesava Pillai.

Noes.

1. The Hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, S Muthiah Mudaliyar.
6. ,, Dr. P. Subbarayan.
7. Dr. (Mrs.) S. Muthulakshmi Reddi.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. ,, C. A. Souter.
11. ,, S. H. Slater.
12. ,, A. McG. C. Tampoe.
13. ,, C. W. E. Cotton.
14. ,, V. Ch. John.
15. ,, M. A. Manikkavelu Nayakar.
16. ,, Syed Tajudin Sahib.
17. Mr. J. Bheemayya.
18. ,, P. J. Gnanavaram Pillai.
19 ,, Mahmud Schamnad Sahib.
20. ,, Muppil Nayar of Kavalappara.
21. The Zamindar of Singampatti.
22. Subadar-Major S. A. Nanjappah Bahadur.
23. Mr. K. Krishnan.
24. ,, N. Siva Raj.
25. Rao Sahib L C. Guruswami.
26. Mr. V. I. Muniswami Pillai.
27. ,, S. Subrahmanya Moopanar.
28. ,, S. Venkiah.
29. Rao Sahib R Srinivasan.
30. Mr. W. O. Wright.
31. ,, F. E. James.
32. The Zamindar of Kallikota.
33. Swami A. S. Sahajanandam.
34. Mr. A. V. Bhanoji Rao.

Neutral.

1. Mr. T. M. Narayanaswami Pillai.
2. ,, S. V. Vanavudaiya Gounder.
3. The Zamindar of Seithur.
4. Rao Bahadur Sir A. P. Patro.
5. Mr. T. K. Chidambaranatha Mudaliyar.
6. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
7. Mr. Muhammad Khadir Mohideen Sahib.
8. Khan Sahib T. M. Moidoo Sahib.
9. The Zamindar of Mirsapuram.
10. The Kumara Raja of Venkatagiri.

* The hon. the PRESIDENT :—" 34 hon. Members have voted for the motion and 34 against. On the principle of maintaining the *status quo ante* the motion is lost."

* Mr. S. ARPUDASWAMI UDAYAR :—" Sir, I beg to move—

'*for the reduction of the allotment of Rs.* 45,900 *for* (*i*) *Central Survey office—Pay of officers by Rs.* 100.'

" Sir, the lands on the banks of the Vennar are owned by ryots, very poor in comparison with those who cultivate the lands on the banks of the Cauvery. The lands especially on the left bank of the Vennar are being submerged year after year and large portions of them, those survey numbers that have been submerged cannot be cultivated. No attempt has been made by the Vennar Division or by the Revenne department to put a stop to the erosions by planting nanal or by constructing some embankments, wedgewise, at intervals. I have been giving notice of motions on this matter for the last three years and it is by a happy coincidence of circumstances that I am able to move this token motion this year. It is really incomprehensible and indeed inconceivable why no steps have been taken to prevent these erosions all these years. It was only last year that an attempt was made to plant nanal. When erosions are taking place every year, no officer of the Revenue or of the Engineering department takes the trouble of visiting the place. Even now several acres are already under water and hundreds of acres have no chance of being cultivated at all in the near future. Though these lands are not cultivated the ryots concerned have to pay the kist. The Government are going on collecting kists and the people are paying without cultivating the lands. Sir, the adoption of this motion by this Council will have the effect of forcing the Revenue Department to see that steps are taken to prevent these erosions by planting nanal or by having some embankment constructed. The Revenue Department in its turn should bring pressure to bear on the Engineering department to have some embankment or other thing put up to prevent these erosions and submersion in consequence of which the lands already submerged remain uncultivated, and other lands at flood level threatened with submersion in the not distant future.

3-45 p.m. " At this rate without any effective check the whole of Nalmathurai and other villages will be completely converted into a waste. With a view to avert this calamity, I move this cut."

The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, it is one of the mysteries of budget motions to me as to why the allotment for the Central Survey office should be reduced by Rs. 100. Probably it is to compel the Revenue Department to draw the attention of the Irrigation Engineer. If the hon. Member has written to me about this I should have only been too glad to draw the attention of the Irrigation Engineer. I thought, from various questions raised both on principle and otherwise and from the way in which a good deal of time was spent upon this, what I had to do with this cut motion. But now I can assure the hon. Member that I will draw the attention of the Irrigation Engineer to his complaint."

The motion was by leave of the House withdrawn.

* Mr. Mahmud SCHAMNAD SAHIB :—" I beg to move the motion that stands in my name, viz.—

'*that the allotment of Rs.* 2,94,100 *for Central Survey office be reduced by Rs.* 100.'

12th March 1929] [Mr. Mahmud Schamnad Sahib]

"Sir, I wish to bring to the notice of the Government the irregularities of survey in different parts of this Presidency. It is said that the resurvey was ordered on account of mistakes made in the former survey. I submit that in the resurvey there are more mistakes. We are thankful to the Government for small mercies. The hon. Revenue Member was kind enough to rectify in South Kanara some mistakes brought to his notice. Once it was brought to the notice of the hon. Member that several kattapanies with coconut trees, etc., were treated as porambokes and penal assessments were imposed upon the landholders. The hon. the Revenue Member was good enough to issue the necessary orders to exclude them from porambokes.

"Then there are several other difficulties created by this resurvey. For instance; several separate holdings were clubbed together and included in one subdivision and entered in the patta of one landholder so that they made it difficult for the owners to pay assessment. Several lands were included among Government wastes while others were classed as road margins. Lands extending even far from the roads and which are not useful for road purposes are entered as road porambokes and when the ryots put up walls the local boards concerned, the taluk board or the district board, proceed against them. There are several cases in my own district in which landholders who have put up walls or made some other improvement on these lands have been prosecuted. When the pattadars send petitions for rectifying the boundary or some other mistakes they were required to supply the names of all pattadars in the neighbourhood thereby making it almost impossible for them to get any redress."

* Mr. J. A. SALDANHA :—"In this matter I wish to make some observations but I cannot call those mistakes which have been made by the Government in their resurvey, as irregularities just as my hon. Friend from Kasaragod has remarked. But I suppose these mistakes were committed to a great extent on a misapprehension of the practice in vogue on this side of the Presidency, but as soon as it was brought to the notice of the Government by Mr. Karant and myself and the Landholders' Association at Mangalore that there were mistakes, every endeavour was made to rectify those mistakes and we offer our thanks to the Government and Mr. Firth, the Director of Survey, for the promptness with which they corrected those mistakes.

"I would draw the attention of the Government to cut motion No. 39 of Mr Karant who is unavoidably absent in which he has brought to the notice of Government some points which I hope they will take due notice of as early as possible."

* The hon. the PRESIDENT :—"The hon. Member is not in order in referring to motion No. 39."

* Mr. J. A. SALDANHA :—"I wanted to call the attention to a particular point."

* The hon. the PRESIDENT :—"I cannot allow the hon. Member to draw the attention of the Government to the remarks made by another hon. Member in connexion with another motion or to that motion itself."

* Mr. J. A. SALDANHA :—"I am mentioning it myself."

* The hon. the PRESIDENT :—"I cannot allow it. The hon. Member is not in order."

[12th March 1929

* Mr. J. A. SALDANHA :—" I submit, Sir, there may be a discussion of irregularities of resurvey and I wanted to say that my hon. Friend Mr. Karant had drawn the attention of the Government to one mistake. However, I will now do it myself. I am referring to the rights of mulgeni tenures."

* The hon. the PRESIDENT :—" Regarding the question of survey, the hon. Member is entitled to express his own opinions."

* Mr. J. A. SALDANHA :—" I have got experience of mulgeni tenures myself and I would like to draw the attention of the Government to difficulties connected with that matter. This is a matter on which Government promised early settlement and I only hope that the hon. Member will see that this mistake is rectified and a settlement made with regard to mulgeni tenures as early as possible."

* The hon. Sir NORMAN MARJORIBANKS :—" Mr. President, it is true that under a misapprehension orders were issued and certain number of mistakes were made in the cadastral survey. Orders have been issued and these mistakes have been corrected. I hope that the hon. Member who has moved this cut motion, if there are any mistakes in future, will bring them to the notice of the authorities concerned, which I assure him will receive our best attention. The matter which my hon. Friend Mr. Saldanha referred to, viz., the mulgeni tenure, is a very hard one and not a simple one and it is still under the consideration of the Government and in disposing of that matter I have no doubt that we will avail ourselves of any consultation that we may make with representatives from that district."

The motion was by leave withdrawn.

* Mr. P. BHAKTAVATSULU NAYUDU :—" I beg to move the motion standing against my name, viz.—

'*That allotment of Rs.* 2,94,100 *for Central Survey Office be reduced by Rs* 100.'

" Sir, it is common knowledge to almost all the people of Madras and to the Members of this House in particular that the greivances of the temporary staff in this department, which were agitated in the previous Council also, are being perpetuated. I am sorry to say that no redress has been granted to them. Now these men are serving in the department for 20, 25 and 30 years and their services for the time being have been classified only as temporary while their juniors of only two and three years' standing are promoted over their heads. This is very heart-rending and I submit that no employee will be doing his duty willingly and truly if his bread is cut off like this, keeping him after his long service only temporarily without making him permanent. It is admitted on all hands that in Government service, the only salient feature about it is that when Government servants retire they can fall back upon some pension for maintaining their families in the evening of their lives.

4 p.m. " Even this little concession or consolation is not given to these people which is really a very heart-rending feature. It will be seen from the Civil Budget Estimate that a sum of not less than Rs. 1,08,800 is being spent year after year on such temporary service. The amount provided for the permanent staff is equal to this amount. The amount spent on the permanent staff is Rs. 1,08,220 and that spent on the temporary staff is Rupees 1,08,800, i.e., Rs. 600 more than that for permanent staff. This long-standing grievance need not be reiterated, for, every Member of this Council,

especially those living in the City of Madras, knows that this matter has been engaging their attention for a number of years and yet this heartless and soulless Government have no sympathy or kindness to attend to these grievances and to redress them. Many words are not needed to commend this proposition to this hon. House. I hope and pray that every hon. Member of this House will have human sympathy to look into these grievances, even Members on the official benches because they are drawing fat salaries and they expect pensions when they retire. This little concession is not granted to these temporary people. Once more I appeal to the Government to look into this matter and redress the grievances of these poor people at once."

Mr. T. ADINARAYANA CHETTIYAR :—"I beg to second this motion."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, this is a point on which the House should devote some more time than may be found necessary on the face of the subject. Unfortunately this has become the rule in every department. Temporary hands are being entertained time after time with all the inconveniences that are attached to temporary service. Only the other day a clerk was saying that he has been temporary for five years, with the result that he does not get even a pie by way of increment. That temporary period of service is not counted for pension. We know, how a few years ago, advantage was taken of the temporary nature of these appointments in one department and a large number of hands were sent out saying that there was no necessity for them. But in a few days practically the same number of hands or a greater number of hands were entertained. The cry of these poor people is the same in every department. During the period of the last two years this Government have increased its expenditure on services by about two crores of rupees. If this matter is not attended to this year, there is absolutely no hope of doing anything in the years to come. It is therefore very necessary that the Government should look into these temporary appointments as a matter of principle and do something to remedy the grievances of these people. There are in this department as well as in the Public Works Department a large number of works which are, by their very nature, temporary. In this case the expenditure upon the temporary service is almost equal to that on permanent service. To say the least, this seems to be a very scandalous affair. It is therefore necessary, Sir, that the Government should look into this matter without postponing it. The non-gazetted officers have been pressing on the attention of the Government that this is a very important question. The Government have been increasing the number and emoluments of the people at the top without caring for the grievances of the people at the bottom. I therefore request the hon. the Revenue Member to do something in the matter. In spite of some hon. Members characterizing the Government as soulless and heartless, I think that he has got some soul and some heart. I hope the hon. the Revenue Member will show some proof of that. If it is possible, let us have some hope or promise that the matter will be looked into and the grievances remedied as in some departments. In the Judicial Department a large number of temporary appointments were made permanent some time ago and I hope that that example will be followed in this department also and that the hon. the Revenue Member will see, as a matter of policy both in this department and in other departments, that the numbers and grievances of these temporary hands are reduced considerably, if not, completely."

* Mr. SAMI VENKATACHALAM CHETTI :—"Sir, I rise to support this motion with the full confidence that the hon. the Revenue Member will look

into this question sympathetically and favourably. My acquaintance with the hon. Leader of the House makes me feel that, in matters not affecting the fundamental policy of the Government, when a good case is made out, he is always reasonable and considers it favourably and sympathetically. I think this is an instance in which his attention was not particularly drawn. I have had many representations made to me by persons who are in temporary service that their existence in the Government service is very precarious. It seems to me very unjust that persons who have put in service of nearly 25 years should be always doubtful of their continuing in the service and of their getting their pension when they retire from service. The usual argument that the Government are wanting in funds to provide for these unfortunate men cannot be trotted out, I think, in this case and at this time. It seems to me, Sir, that whatever may be the other demands upon the revenues of this province, the most necessary and the primary demand on those revenues must be a satisfactory subordinate service at least. The brunt of work is done by these poor people and even their continuance in office is not ensured. It seems to me that the Government itself will stand to lose on account of the indifferent work turned out by these people who are not assured of their tenure in the Government departments. I therefore request the hon. the Revenue Member to promise to this House that he will look into this question and do what is just and proper to these temporary establishments."

* Mr. J. A. SALDANHA :—" Sir, I also wish to condemn this allotment on quite a different ground. I condemn the policy of the Government with regard to this matter on a different ground from that mentioned. I condemn the appointment of this temporary service because it is not needed at all. I shall give an illustration why the temporary service is not needed to a large extent. Like an octopus it spreads its tentacles with its scientific survey in places where it is not needed at all. In South Kanara, especially in Kasaragod taluk, there was need of scientific survey. In the rest of the district scientific survey was conducted thirty years ago."

* The hon. the PRESIDENT :—" I think the hon. Member is not at all in order."

* Mr. J. A. SALDANHA :—" I am speaking of this temporary service."

* The hon. the PRESIDENT :—" I wish to draw the attention of the hon. Member to the fact that he is not in order. . ."

* Mr. J. A. SALDANHA :—" Perhaps my illustration is not needed. . ."

* The hon. the PRESIDENT :—" The question is about the entertainment of temporary men in the Survey department. That is the point that is under the consideration of the House. The hon. Member now wants to discuss the question of scientific survey as opposed to the old survey. So long as the hon. Member develops his arguments on those lines, I shall be obliged to rule that he is not at all in order."

* Mr. J. A. SALDANHA :—" I condemn only the policy of keeping this temporary service in this department, because it is not needed. In most cases it has been found in South Kanara now that these services insist on this survey. . ."

* The hon. the PRESIDENT :—" The hon. Member is not at all in order."

* Mr. J. A. SALDANHA :—" I want to know whether the Government are justified in maintaining this unwanted service which I, at least, consider not needed and which is simply meant to keep a number of persons in service. "

12th March 1929]

* The hon. the PRESIDENT :—"The hon. Member is not at all in order ; he will kindly resume his seat."

* The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, as regards the general question, I am unable to say anything because I understood the motion to refer to particular cases in the Survey department. In regard to the Survey department I was under the impression that all Members of the House were well aware that this was a department which was to be reduced as soon as practicable. One party was already reduced last year. A second party would have been reduced this year but for the extra work necessary in connexion with the Cauvery-Mettur project. As it is to be reduced to a permanent nucleus, that nucleus has been fixed at the strength of the executive staff of three parties and clerical staff of two parties. The remaining number of appointments are admittedly on a temporary basis and there is to be reduction as circumstances permit. In the Central Survey office, a staff corresponding to the work of three parties will be permanent and the rest temporary.

"The case of the temporary men is not so bad as it was painted, because there are a certain number of permanent appointments and they are translated to these appointments as vacancies occur. As regards those who do not get chances of permanent footing, they usually fill posts on a higher pay than they would have done if they were on a permanent status. Anyhow it has always been well understood that a large number of the staff must be on a temporary basis; so that the department may be reduced at the earliest possible date. That was the reason why, excepting the permanent nucleus, the other portion of the staff is being kept on a temporary footing. If we were to make all the appointments permanent, it would make a very large increase in the expenses, pension charges and so forth. I do not know whether the House quite means the reversal of the policy which has, hitherto, been followed and which, it was understood, had its general acceptance."

The motion was put to the House and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

1. Mr. P. C. Venkatapati Raju.
2. ,, R. Srinivasa Ayyangar.
3. ,, Sami Venkatachalam Chetti.
4. ,, S. Satyamurti.
5. ,, C. V. Venkataramana Ayyangar.
6. ,, J. A. Saldanha.
7. ,, G. Harisarvottama Rao.
8. Basheer Ahmad Sayeed Sahib Bahadur.
9. Mr. C. S. Govindaraja Mudaliyar.
10. Abdul Hameed Khan Sahib Bahadur.
11. Mr. L. K. Tulasiram.
12. ,, K. V. R. Swami.
13. Mr. D. Narayana Raju.
14. Dr. B. S. Mallayya.
15. Mr. K. Madhavan Nayar.
16. ,, P. Anjaneyulu.
17. ,, A. Parasurama Rao.
18. ,, C. Ramasomayajulu.
19. ,, T. Adinarayana Chettiyar.
20. ,, P. Bhaktavatsulu Nayudu.
21. ,, A. Kaleswara Rao.
22. ,, Narayana Rao, Mothay.
23. ,, C. N. Muthuranga Mudaliyar.
24. ,, C. Venkatarangam Nayudu.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. S. Muthiah Mudaliyar.
6. ,, Dr. P. Subbarayan.
7. Dr. (Mrs.) S. Muthulakshmi Reddi.
8. Mr. Hilton Brown.
9. ,, H. A. Watson.
10. Mr. C. A. Souter.
11. ,, S. H. Slater.
12. ,, A. McG. C. Tampoe.
13. ,, C. W. E. Cotton.
14. ,, V. Ch. John.
15. ,, M. A. Manikkavelu Nayakar.
16. Tajudin Sahib Bahadur, Syed.
17. Mr P. J. Gnanavaram Pillai.
18. Mahmud Schamnad Sahib Bahadur.
19. Mr. Muppil Nayar of Kavalappara.
20. Zamindar of Singampatti.

[12th March 1929

Noes—cont.

21. Mr. J. Kuppuswami.
22. Subadar-Major S. A. Nanjappa Bahadur.
23. Mr. K. Krishnan.
24. ,, N. Siva Raj.
25. ,, V. I. Muniswami Pillai.
26. ,, W. P A. Soundara Pandia Nadar.
27. ,, S. Subrahmanya Moopanar.
28. ,, S. Venkiah.
29. Rao Sahib R. Srinivasan.
30. Rajkumar S. N Dorai Raja
31. Mr. S. Arpudaswami Udayar.
32. Zamindar of Kallikota
33. Mr. U. Ramaswami Ayyar.
34. Swami A. S. Sahajanandam.
35. Mr. V. Ramjee Rao.
36. Rao Bahadur Sir A. P. Patro.
37. Diwan Bahadur P. C. Ethirajulu Nayudu.
38. Mr. P T. Rajan.
39. ,, T K. Chidambaranatha Mudaliyar.
40. Rao Bahadur S. Ellappa Chettiyar.
41 Diwan Bahadur S. Kumaraswami Reddiyar.
42. Khan Sahib T M Moidoo Sahib Bahadur.
43. Rao Bahadur B Muniswami Nayudu.
44 Zamindar of Mirzapuram.
45. Mr. A. V. Bhanoji Rao.

Ayes 24. Noes 45.

The motion was lost.

4-15 p.m. Mr. S. Arpudaswami Udayar :—" Mr. President, Sir, 'I move—
'that the allotment of Rs. 2,94,900 for Assignments and Compensations be reduced by Rs. 100.'

" Let me first point out that the district of Trichinopoly is not so very fertile as a whole as the Tanjore district. In fact the rate of tree-tax in the Tanjore district is only four annas. I have been asked by a number of landholders to represent this to this Council and have the tree-tax reduced. They all assured me that the average annual income from a tree, coconut or other, is about a rupee, seldom more than a rupee, and in the case of trees that are allowed for tapping for toddy they may get more. Now, Sir, the principle has been recognized by Government that excise propaganda, with a view to reduce consumption, is legitimate and therefore the value of coconut trees which are now let out for extraction of toddy will be still further reduced should the custom of letting out trees for this purpose be discouraged. Therefore I do not see that the operation of the present scale of tree-tax will, in any way, conduce to the encouragement of the cultivation of topes in the padugai lands of Trichinopoly district. Continuance of the tree-tax at the present rate will certainly have a deterrent effect and very many people will not be encouraged to go on planting trees and groves or applying for tree pattas. So, I press for a uniform rate both for the Tanjore and Trichinopoly districts."

* The hon. Sir Norman Marjoribanks :—" Mr. President, Sir, the reason for the difference in the tree-tax between Tanjore and Trichinopoly, and in fact Tanjore and the rest of the Presidency, is not due to any policy of Government to treat Tanjore in preference to other places, but to the particular revenue system that prevails in the district. Years ago it was part of the revenue system of the district to get people to plant fruit-trees and the conditions were that if the trees came to bearing, they would be at the disposal of the planter subject to a payment of a small payment which was stated. Therefore, in that case, no matter how small or inadequate the payment might be to the fruit-bearing trees of a particular species, it was not open to Government to increase the rate on the ground that it was inadequate. But in the case of other districts the trees are held on pattas which provide that the pattadar shall enjoy the tree and pay such and such a rate and it also provides for the cancelment of patta. Some years ago, it was pointed out that in the case of tree pattas generally the rates were exceedingly low and further —although it was a moot point—that it was very doubtful whether the persons

12th March 1929] [Sir Norman Marjoribanks]

who were in enjoyment of the trees had ever planted them or had anything to do with them and that the grant of pattas was merely a way of finding someone who could take a lease of the trees. Except therefore in the case of the Tanjore trees to which Mr. Arpudaswami Udayar refers the rates of the pattas were generally increased. The general rates are: Tamarind 8 annas; mangoes 8 annas; jack trees and coconut trees 8 annas; and for certain other trees 2 annas. In the Tanjore district there has been a regular contract with the people there and it is not permissible now to increase the rates on existing tree pattas in that district. In other districts the rates are uniform as given above and Trichinopoly has not been treated in any way differently from other districts. I do not catch what the hon. Member has stated. He said that this discouraged the planting of trees or something to that effect. We have not received any report from anywhere that these enhanced rates have discouraged the planting of trees."

* The hon. the PRESIDENT :—"I think the House is ready for a vote.

"The question is 'to reduce the allotment of Rs. 2,94,900 for Assignments and Compensations by Rs. 100'."

The motion was put and lost.

* Mr. S. SATYAMURTI :—"Mr. President, Sir, I beg to move the motion standing in my name, viz.—

'*that the allotment of Rs. 3,200 for Stores—Expenditure in England be reduced by Rs. 100.*'

to recommend the adoption of swadeshi in the matter of purchase of all stores required by the Government. I am anxious that we should vote upon this matter. I am sure every member of this House will accept this and I have great pleasure in making the motion."

* Mr. R. SRINIVASA AYYANGAR :—"I beg to second the motion."

* The hon. Sir NORMAN MARJORIBANKS :—"Mr. President, Sir, unfortunately I am at some disadvantage in referring to my notes on the subject as it was intimated to me that this motion would not be moved. It is obviously in its nature an impracticable proposition, but unfortunately Indian industries do not exist that will supply all the wants of the services. Well, Sir, regarding the rules at present, the standing orders on the subject are that all articles which are produced in India from raw materials or are manufactured in India from raw materials produced in India should have preference to articles not manufactured in India or wholly or partially manufactured by imported materials whether purchased locally or. . ."

* The hon. the PRESIDENT :—"I now put the motion and the grant to the vote of the House.

"The question is "to reduce the allotment of Rs. 3,200 for Stores—Expenditure in England by Rs. 100'."

The motion was declared lost.

Mr. G. Harisarvottama Rao demanded a poll and the House divided thus.

Ayes.

1. Mr. A. B. Shetty.
2. ,, S. V. Vanavudaiya Gounder.
3. Swami A. S. Sahajanandam.
4. Mr. V. Ramjee Rao.
5. ,, P. C. Venkatapathi Raju.
6. ,, R. Srinivasa Ayyangar.
7. ,, Sami Venkatachalam Chetti.
8. ,, S. Satyamurti.
9. ,, C. V. Venkataramana Ayyangar.
10. ,, J. A. Saldanha.
11. ,, G. Harisarvottama Rao.
12. Basheer Ahmed Sayeed Sahib Bahadur.
13. Mr. C. S. Govindaraja Mudaliyar.
14. Abdul Hameed Khan Bahadur.
15. Mr. L. K. Thulasiram.
16. ,, K. V. R. Swami.
17. ,, D. Narayana Raju.
18. Dr. B. S. Mallayya.
19. Mr. K. Madhavan Nayar.
20. ,, P. Anjaneyulu.
21. ,, A. Parasurama Rao Pantulu.
22. ,, C. Ramasomayajulu.
23. ,, T. Adinarayana Chettiyar.
24. ,, P. Bhaktavatsulu Nayudu.
25. Mr. A. Kaleswara Rao.
26. ,, M. Narayana Rao.
27. ,, C. N. Muthuranga Mudaliyar.
28. ,, C. Venkatarangam Nayudu.
29. ,, A. Ranganatha Mudaliyar.
30. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
31. Zamindar of Gollapalli.
32. Mr. T. C. Srinivasa Ayyangar.
33. ,, P. Siva Rao.
34. ,, K. R. Venkatarama Ayyar.
35. ,, R. Nagan Gowda.
36. Rao Bahadur Sir A. P. Patro.
37. Diwan Bahadur P. C. Ethirajulu Nayudu.
38. Mr. P. T. Rajan.
39. ,, T. K. Chidambaranatha Mudaliyar.
40. Rao Bahadur S. Ellappa Chettiyar.
41. Diwan Bahadur S. Kumaraswami Reddiyar.
42. Khan Sahib T. M. Moidoo Sahib Bahadur.
43. Rao Bahadur B. Muniswami Nayudu.
44. Zamindar of Mirzapuram.
45. Mr. A. V. Bhanoji Rao.

Noes.

1. The hon. Sir Norman Marjoribanks.
2. ,, Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nayar.
5. ,, Mr. S. Muthiah Mudaliyar.
6. ,, Dr. P. Subbarayan.
7 Mr. Hilton Brown.
8. ,, H. A. Watson.
9. ,, C. A. Souter.
10. ,, S. H. Slater.
11. ,, A. McG. C. Tampoe.
12. ,, C. W. E. Cotton.
13. ,, V. Ch. John.
14. ,, M. A. Manikkavelu Nayakar.
15. Syed Tajudin Sahib Bahadur.
16. Mr. P. J. Gnanavaram Pillai.
17. Muhammad Schamnad Sahib Bahadur.
18. Mr. Muppil Nayar.
19. Zamindar of Singampatti.
20. Subadar-Major S. A. Nanjappah Bahadur.
21. Mr. K. Krishnan.
22. ,, N. Siva Raj.
23. ,, V. I. Muniwami Pillai.
24. ,, W. P. A. Soundara Pandia Nadar.
25. ,, S. Subrahmaniya Moopanar.
26. Rao Sahib R. Srinivasan.
27. Mr. H. F. P. Hearson.
28. ,, S. N. Derai Raja.
29 Zamindar of Kallikota.

Ayes 45. Noes 29.

The motion was carried.

4.30 p.m. * The hon. the PRESIDENT :—"I now put the demand to the vote of the House. The question is 'that the Government be granted a sum not exceeding 255·62 lakhs minus Rs. 200.'"

The demand as put was carried and the grant made.

DEMAND II—EXCISE DEPARTMENT.

* The hon. Mr. S. MUTHIAH MUDALIYAR :—"Sir, on the recommendation of His Excellency the Governor, I move that

> '*the Government be granted a sum not exceeding* 38·07 *lakhs for Excise department—Demand II*'."

* The hon. the PRESIDENT :—"The question is that Government be granted a sum not exceeding 38·07 lakhs under Demand II—Excise."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Sir, I rise to move—

> '*that the allotment of Rs.* 37,32,000 *for Excise be reduced by Rs.* 100.'

12th March 1929] [Mr. R. N. Arogyaswami Mudaliyar]

to discuss the Excise policy of Government and to express dissatisfaction. Sir, I intend tracing the development of the Excise policy of the Government of Madras. The first resolution of this Council advocating total prohibition was passed in 1924, and two years after that, when Sir A. P. Patro was in charge of the Excise portfolio, a Government Order was issued in September 1926 and as a consequence of that partial prohibition was introduced in some parts of this Presidency, and I think we ought to be thankful to him for starting the policy of prohibition in this Presidency. The policy of prohibition has been accepted by practically all parties in this Council. It forms an important part of the policy of the Congress party ; it has been the policy of the Justice party, not only in this Council, but also outside this House ; for the policy of total prohibition was adopted in several conferences by the Justice party, and I may particularly refer to the conference held recently at Mayavaram where there was a distinct resolution to this effect—that they as a party were entirely in favour of prohibition. As for the nationalist party, prohibition is one of the items of their party programme. After the Government Order of 1926 was issued, when Sir Patro was in charge of the Excise portfolio, it was decided not only to introduce partial prohibition in four taluks, but it was also decided to examine the financial implications of a policy of prohibition."

[At this stage the hon. the Deputy President occupied the chair.]

" And for that purpose it was ordered that a reference should be made to the Finance Department to consider the question of substituted sources of revenue which might be tapped when total prohibition is carried out. But unfortunately for several months after the Government Order was issued nothing was done. I believe that till this date the question of finding substituted sources of revenue has not advanced even a single step. After I took charge of the Excise portfolio in December 1927 the question of the adoption of total prohibition was pressed on several occasions in this Council by means of questions and resolutions. It was agreed by all sections of the House—and my friends of the Justice party took a prominent part in this—to have total prohibition in twenty years. I remember very well how my hon. Friend Mr. Krishnan Nayar spoke with much vehemence and he concluded by saying that he hoped that I would take all steps to proceed with that policy. In accordance with that resolution and in consultation with my colleagues I drew definite proposals—I am sorry I am not at liberty to speak as fully as I could wish—but I may say generally that my definite proposals included among other things the bringing about of total prohibition in two districts at once. And as part of that to meet the loss of revenue I also proposed that Government should increase at once the tree-tax on toddy and the duty on arrack ; that is, to abolish the distinction between low and high duty areas and to levy a uniform rate of duty and tax. The latter proposal was accepted at once and was given effect to. Hon. Members of this House, if they examine the revenues of this province under Excise during the last three years, will note that excise revenue has taken a sudden jump. I anticipated it as a result of the measures I advocated ; and it was something like 40 lakhs and to that extent my expectations have been realized. I want to bring to the notice of the House this fact that my proposals were altogether self-contained and it was my intention that this increase of revenue should be devoted at once to meet the loss arising out of the adoption of total prohibition in the two districts. Now, Madam, my Friend the hon. the Excise Minister made on two occasions on the floor of this House statements which I wish to

[Mr. R. N. Arogyaswami Mudaliyar] [12th March 1929

characterize as deliberate falsehoods. On one occasion when a question was put relating to the Excise policy he said that I had no policy at all. On a second occasion, I think it was in the general discussion of the budget, he said that although I talked of prohibition I eventually dropped it. I think he must have been aware of the fact that I could not have abandoned it. For at the time when I resigned my office the prohibition file was still in circulation and I do not know by what stretch of imagination the hon. the Excise Minister arrived at the conclusion that I had abandoned the prohibition policy. Is it possible to settle a matter when the file is in circulation? That is why I characterized that statement as a deliberate falsehood and

4-45 p. m. I should have expected from a responsible Member of the Government a stricter adherence to truth and generosity, if not charity. (Hear, hear.) As I was saying, while my proposal for increasing the tree-tax on toddy and the duty on arrack was accepted, the other proposal had not been definitely settled, as the Government had not definitely passed orders thereon at the time I laid down my office. But I think now I might refer to a bit of old history as to how I came to propose total prohibition which I did and how it was sent subsequently for circulation among the Members of the Cabinet. When I took up office as Minister of Excise, naturally I was new to the subject and it took me some time to study and understand things. Everybody around me, my colleagues, members of my party, in fact members of all parties in the Council, were all pressing me to adopt some measures that would give practical effect to the resolutions of the Council for reaching the goal of prohibition. In consultation with my colleagues at about budget time in 1927, I made a pronouncement on the floor of this House that it was my intention to bring about prohibition by definite and progressive stages. And that statetment as I said I stuck to till the time came for the laying down of my office. I never dropped the policy of prohibition, but I was going on with it. In fact I did formulate definite proposals. These proposals were, as I said, after consultation with my colleagues, sent for circulation. It was before I got the definite assurance that we were agreed as to the lines on which we should work that I ventured at all to consent to the file going for circulation. It was also agreed—and I challenge my friend opposite Dr. Subbarayan to deny the statement now—that if my policy was not accepted we should resign jointly on that issue. (Hear, hear.) I repeat that statement that we agreed that if the policy of prohibition that I advocated was not going to be accepted by the Government we would resign our offices definitely on that issue. (Hear, hear.) I might also mention one other point. It was, I think, my Friend Dr. Subbarayan that first mooted this question of prohibition. He in consultation with a friend of his who is very much interested in prohibition drafted a prohibition Bill, and the draft Bill itself with the Statement of Objects and Reasons in the handwriting of my friend were both handed over to me and with very few alterations I accepted that Bill and it was my intention to present it in due course, after the formalities were gone through, to the Council here. Well, Madam, I ask my hon. Friend to deny that. But subsequently I found he went back on his convictions. I suppose he repented. It may be so. First of all when he addressed the European Association he threw me overboard. At least I suspected that he did. And subsequently I learnt—I have no definite information on the point—that he did not agree to support my policy.

"About my dropping the policy of prohibition I have already stated that it would not have been possible for me to have done it and it is not in my

nature when I deliberately reached a conviction on that question to go back upon it afterwards. I would never have dropped it and would have done everything that was possible to push the proposals through. As for the hot potatoes, I think my friend the present Excise Minister has got more experience in dropping hot potatoes than I have. I think he started first of all with dropping the Justice party as a hot potato; next he dropped the Congress party as a hot potato; then he dropped the Independent Congress party as a hot potato. Then, I suppose he finds the present party is a cold potato, but I hope the House will make it hot for him soon. (Laughter.) It was on the floor of this House, Madam, I think it was at the last Budget meeting when Dr. Subbarayan was the sole Minister in charge of this subject, it was said that he was inclined to think that prohibition was a central, reserved subject, and he quoted the Devolution Rule which refers to the transfer of Excise. The Devolution Rule refers to the 'control of Excise'; and it has been argued that for Government in the transferred departments to be able to control Excise there must be something to control, and it was also argued that if there is to be prohibition there would then be nothing to control. But this statement is obviously absurd for two reasons. If the Government in the transferred departments can control Excise, I suppose it can reduce the consumption of liquors and drugs to any extent. Then where is the limit to be drawn? You may cut down consumption by say ·99 per cent and then supposing you have ·01 consumption left, something will even then be left for control. But that is not the point. Even if total prohibition is introduced, there would be left much to control for the reason that we would still want Excise establishment, possibly a very large Excise establishment, and it would be necessary to control illicit liquor, illicit drugs, transport and manufacture of liquor and so forth. So that even when total prohibition is introduced, there would still be left Excise to control. I think the argument that the control of Excise under the Devolution Rule would mean that you cannot have prohibition is in my opinion worth absolutely nothing. I think I might refer to the Government of India Despatch of 1919, when they were dealing with this very question of the transfer of Excise in the Madras Presidency. Hon. Members who have read the Montford Report and the discussions that preceded it would have noticed that the Madras Government did object to the transfer of Excise in this province. The Government of India wrote as follows in the despatch I have just referred to about this question of Excise: 'While in some provinces popular opinion may lead the legislature to take steps in the direction of total prohibition and while we appreciate the dangers of this course (illicit practices, etc.) we are still prepared to transfer Excise at once. We fully realize that Excise occupies a special position in Madras from the revenue point of view, but regarding the matter from the broader ground of general principles we agree with the committee (that is, the Feetham Committee) that the Excise conditions are not so peculiar as to justify its reservation in the Madras Presidency.'

"That is what the Government of India wrote. And I mention this point to show that the Government of India had this question of prohibition in view when they very deliberately recommended the transfer of Excise in this Presidency. So it cannot be argued that the Government of India had any intention that when prohibition comes it must be introduced with their sanction. In this connexion again, I may refer to section 13-A of the Madras Abkari Act. That is the very section under which my hon. Friend Sir Patro

[Mr. R. N. Arogyaswami Mudaliyar] [12th March 1929

took action in introducing partial prohibition in four taluks in this Presidency. Section 13-A of the Abkari Act was introduced after an amending Bill was passed in 1912. That section runs as follows:—

'The Governor in Council may, by notification, prohibit possession by any person or class of persons either throughout the Presidency or in any local area of any liquor or intoxicating drug either absolutely or subject to such conditions as he may prescribe.'

"Well, my point is this. Hon. Members will notice that the Local Government under the Madras Abkari Act (section 13-A) possess the power now if they wish to introduce prohibition in any area they like to do so. It cannot be said in a matter in which power vests with the Governor in Council to prohibit any liquor or intoxicating drug either absolutely or subject to conditions prescribed, under section 13-A of the Madras Act, that we cannot do anything without the sanction of the Government of India. This contention is obviously absurd. (Hear, hear.) And now, my friend the Excise Minister sometimes still talks about prohibition. Well, I take it that he has absolutely no intention of introducing prohibition in any sense. He wishes to do propaganda work, and in that connexion we find there is a provision of about 4 lakhs in the Public Health Budget. We shall have time enough later on to discuss that particular item in the budget. But it seems to me that if the hon. Minister comes to this House and tells us on the one hand that this Government would sell liquors and drugs to all people in the Presidency and on the other hand he wants to carry on propaganda work also, it is almost an insult to the intelligence of this House. When you say that you object to these liquors and drugs, when you are the very agents to sell these things, and when the remedy is in your own hands to stop the traffic or to limit it, if you do not adopt this obvious method of remedying the evil but talk—as the Excise Minister does—and go on talking of propaganda, it is, I say, an insult to this House. (Hear, hear.)

"Well, I may now refer to the United States, because my friend the Minister referred the other day to America. He, I am afraid, has not studied the question of prohibition in America properly. (Hear, hear.) He said that it took 50 years for America to achieve prohibition in all the States. That is right. But he was wrong when he merely made the bare statement that it took 50 years for the United States to have prohibition. The State of *Maine* had prohibition under the State law. Years and years before, the Vodstead Act was passed by the Federal Government long before the 50 years referred to by my hon. Friend the Minister, 14 States had already declared for prohibition and it was at that stage that the amendment of the constitution came in and the Federal prohibition law was passed. So that to say now that in America it took 50 years to achieve prohibition is certainly not a very correct and precise statement."

The House then adjourned to meet again at 11 a.m. on Thursday, the 14th March 1929.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

12th March 1929]

APPENDIX I.

[Vide answer to question No. 1703 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th March 1929, page 16 supra.]

Statement showing the town-planning schemes.

Serial number and municipality.	Name of scheme.
1. Bezwada	Scheme No. I.*
2. Do.	Do. II.*
3. Do.	Do. III.*
4. Do.	Do. IV.*
5. Do.	Do. V.*
6. Cuddalore	O.T. Town-planning scheme.*
7. Conjeeveram	Railway station area.*
8. Do.	Moonanthiruvilla mantapa extension.*
9. Coimbatore	Opening of a new vegetable market.
10. Do.	Red fields.*
11. Do.	Papanaickenpalaiyam.*
12. Do.	Ramanathapuram.*
13. Do.	New wards 6, 7 and 19.*
14. Calicut	North to south road.
15. Ellore	Scheme No. I.*
16. Do.	Do. II.*
17. Do.	Do. III.*
18. Guntur	Estates land.*
19. Kumbakonam	Scheme No. I.*
20. Do.	Do. II.*
21. Madura	Sokkikulam.*
22. Do.	Eastern extension.*
23. Do.	Madichiyam.
24. Do.	West Ponnagaram.*
25. Do.	Kaziar Tope area.
26. Do.	Pacharisikara Tope.*
27. Do.	Uppukara Block.*
28. Do.	Kollampattarai Block improvement.
29. Do.	Thaikal Block.
30. Do.	Aruppanady.
31. Do.	Chinnakanmoi.
32. Do.	Ismailpuram.
33. Do.	New Kosapalaiyam.
34. Do.	East Ponnagaram extension.
35. Do.	East Ponnagaram improvement.

* Indicates that the scheme has been called for under section 12.

[12th March 1929

Serial number and municipality.	Name of scheme.
36. Madura	Kollampattarai extension.
37. Do.	West Sellen Block.
38. Do.	East Sellen Block.
39. Do.	Shir Ali Makan Tope.
40. Do.	Railway Colony, Ottapady.*
41. Do.	Vaigai South Bank.*
42. Do.	East Madura Station.
43. Mangalore	Kodialbail West *
44. Do.	Do. East.*
45. Do.	Market Ward Block 10.*
46. Do.	Falneer.*
47. Do.	Railway Road.*
48. Palamcottah	Cantonment Ward.*
49. Rajahmundry	Scheme No. I.*
50. Do.	Do. II.*
51. Do.	Do. III.*
52. Do.	Do. IV.
53. Do.	Do. V.
54. Do.	Thiruppugudam.
55. Do.	Palligudam.
56. Salem	Maravaneri South.*
57. Do.	Devangapuram.*
58. Do.	Kumaraswamipatti.*
59. Do.	Logichetti.*
60. Do.	Gogai.*
61. Salem	Dadubaikuttai.*
62. Do.	Ammapet.*
63. Do.	Tadagampatti.*
64. Trichinopoly	Puthur Maidan.*
65. Do.	Butterworth.*
66. Do.	Jasmin garden.*
67. Do.	Peechangulam.*
68. Do.	Varaganeri.*
69. Do.	New Town Railway Station area.*
70. Do.	Catholic Colony.*
71. Do.	Scheme No. I.*
72. Do.	Do. II.*
73. Do.	Do. III.*
74. Do.	Do. IV.*
75. Do.	Do. V.*
76. Tuticorin	Scheme A.*
77. Do.	Do. B.*
78. Do.	Do. C.*
79. Tinnevelly	Scheme No. I.*
80. Do.	Do. II.*
81. Do.	Do. III.*
82. Vellore...	Velapadi Nallampattadai.
83. Do.	Sullivanpet.*
84. Do.	Sankarampalayam.*

* Indicates that the scheme has been called for under section 12.

12th March 1929]

Serial number and municipality.	Name of scheme.
85. Vellore	Kagithapattadai.*
86. Vizagapatam	Maharanipeta Ward Block IV.
87. Do.	Alipur Ward.*
88. Do.	Market Ward.*
89. Do.	Chengalrayapeta Ward Block II.
90. Do.	Maharanipeta Ward except Block IV.
91. Do.	Waltair Ward.
92. Do.	Chengalrayapeta Ward Block II.
93. Madras City and Suburban Town-planning Trust.	Mambalam East.
94. Do. do.	Mambalam South.
95. Do. do.	Mylapore East.
96. Do. do.	47/1 Puliyur.
97. Do. do.	Nungambakkam.
98. Do. do.	Nungambakkam West.
99. Do. do.	Ambatore.
100. Do. do.	Mylapore West.
101. Corporation	Part Nungambakkam Scheme.*
102. Do.	Revised Mambalam Town-planning Scheme.

Extract from the Rules issued by the Government under section 44 of the Town-planning Act, 1920.

8. (1) The Municipal Council shall convene meetings of owners of lands and buildings in the area affected by the proposed scheme. The meetings shall be held as soon as convenient after the publication of the notification under sub-section (3) of section 10, and, unless there is good reason to the contrary, on the land included in the proposed scheme.

(2) Notice of every such meeting, shall, not less than one week before the date of meeting, be (*a*) published on the notice board of the Municipal office, (*b*) posted to all persons known or believed to have rights in land or buildings in the area included in the proposed scheme, and to other persons known or believed to be affected by the scheme; provided that it shall not be necessary to send a notice to tenants whose leases expire within a year of the date of the Municipal Council's declaration of intention to make a scheme.

(3) At such meetings the proposed scheme shall be generally described and explained, and a minute of each meeting shall be kept.

(4) Where the number of persons likely to be affected by the scheme is large, the Municipal Council shall, where possible, promote the formation of one or more committees of such persons or representatives of such persons for the purpose of explaining the scheme to land-owners, and for the purpose of discussion and consultation during the course of the preparation of a draft scheme.

* Indicates that the scheme has been called for under section 12.

[12th March 1929

APPENDIX II

[Vide answer to question No. 1705 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th March 1929, page 18 supra.]

ANNEXURE A.

Statement showing the establishment employed in connexion with each of the Saw Mills and its cost per annum.

	Pay.
Olavakkot Saw Mill.	RS.
One Mechanical Expert and Officer-in-charge of seasoning kilns.	400
One Foreman ...	165
One Band Saw operator ...	55
One Band Resaw operator ...	55
One Double Edger and Pendulam Cross Cut operator.	30
One Band Saw Sharpener ...	40
One Driver and Chargeman ...	40
One Corner Locking operator ...	30
One Saw Doctor ...	35
One Circular Saw Sharpener ...	30
Two Firemen at Rs. 15 each ...	30
One Kiln operator ...	30
Two Kiln operators at Rs. 25 ...	50
One Driver ...	35
One Rip Saw operator ...	18
One Do. ...	20
One Saw Mill clerk ...	45
One Assistant Cashier ...	40
One Conversion clerk ...	35
Total cost per mensem ...	1,183
Total estimated cost per annum ...	14,196 or 14,200
Beypore Saw Mill.	
One Forester as Mill clerk ...	30
One Foreman ...	110
Three Drivers at Rs. 40, 35 and 20 ...	95
One Breakdown operator ...	34
One Volter operator ...	45
Three Rip Saw operators at Rs. 30 ...	90
One Cross Cut operator ...	22/8
One Saw Sharpener ...	32/8
One Key Press operator ...	22/12
One Chocidar ...	15
Total cost per mensem ...	497/12
Total estimated cost per annum ...	5,973 or say 6,000

	Pay
	RS.
Top Slip Saw Mill.	
One Forester as Mill clerk	40
One Foreman	110
One Engine Driver	50
One Breakdown operator	45
One Bolter operator	40
Two Rip Saw operators at Rs. 25	50
One Cross Cut operator	30
One Stoker	16
One Chocidar	15
One Saw Sharpener	50
Total cost per mensem ...	446
Total estimated cost per annum ...	5,252 or say 5,300
Chedleth Saw Mill.	
One Ranger	150 + 50
One Forester as Mill clerk	52 + 10
One Foreman	75
Two Engine Drivers, Rs. 50 and 35	85
One Breakdown operator	55
One Bolter operator	40
One Rip Saw operator	30
One Cross Cut operator	25
One Saw Sharpener	35
Two Stokers at Rs. 20 each	40
One Chocidar	16
Total cost per month ...	663
Total estimated cost per annum ...	7,956 or say 8,000
Parappa Saw Mill.	
One Forester as Mill clerk	50
One Foreman	110
Two Engine Drivers, Rs. 50 and 35	85
One Breakdown operator	45
One Bolter operator	30
One Rip Saw operator	30
One Cross Cut operator	25
One Saw Sharpener	30
Two Stokers at Rs. 16 each	32
One Chocidar	15
Total monthly cost ...	452
Total estimated cost per annum ...	5,424 or say 5,400

[12th March 1929

ANNEXURE B.

Statement showing the estimates of expenditure and receipts of the Parappa Saw Mill for the year 1928–29.

Expenditure	Amount.	Receipts.	Amount.
	RS.		RS.
Saw Mill establishment and Mill running expenses	14,000	By sale of 30,000 c.ft. of scantlings from Parappa and 3,000 c.ft. of scantlings from Aletti Reserved Forests ...	81,000
Transport of timber to Kasargod	9,200		
Stores, tools and plant ...	4,500		
Repairs to buildings ...	200		81,000
Total ...	27,900		

Statement showing the estimates of expenditure and receipts of the Chedleth Saw Mill for the year 1928–29.

Expenditure.	Amount.	Receipts.	Amount.
	RS.		RS.
Saw Mill establishment and Mill running expenses	15,800	By sale of 25,000 c.ft. of scantlings	62,500
Transport of timber to Nanjungode	18,250	Total ...	62,500
Stores, tools and plant .	4,500		
Repairs to buildings ...	550		
Total ...	39,100		

Statement showing the estimates of expenditure and receipts of the Beypore Saw Mill for the year 1928–29.

Expenditure.	Amount.	Receipts.	Amount.
	RS.		RS.
Saw Mill establishment and running expenses.	28,800	Beypore depot sales 7,500 c.ft. of sawn timber at Rs. 3-6-0 per c.ft. plus 55,000 c.ft. of sawn timber at Rs. 2-14-2	1,84,000
Mill running expenses on 25,000 c.ft. of Nilambur teak logs sawn at Olavakkot Saw Mill ...	14,300	By overseas sales through Messrs. Peirce Leslie & Company 1,100 c.ft. at Rs. 5 per c.ft. ...	5,500
Railway freight and another incidental expenses	5,200	By Rejection miscellaneous, etc.	9,400
Stores, tools and plant ...	4,500		
Total ...	52,800	Total ...	1,98,900

12th March 1929]

Statement showing the estimates of expenditure and receipts of the Pollachi Saw Mill for the year 1928–29.

Expenditure.	Amount.	Receipts.	Amount.
	RS.		RS.
Saw Mill establishment and running expenses.	14,200	By sale of sawn timber 35,000 c.ft. at Rs. 2–14–2 per c.ft. ...	1,01,000
Stores, tools and plant ...	4,000	By overseas sales 1,380 c.ft. of timber at Rs. 5 per c.ft.	6,900
Carting sawn materials to Pollachi	10,000		
Repairs to buildings ...	100		
Contingencies ...	100		
Total ...	28,400	Total ...	1,07,900

Statement showing the estimates of expenditure and receipts of the Olavakkot Saw Mill for the year 1928–29.

Expenditure.	Amount.	Receipts.	Amount.
	RS.		RS.
Saw Mill establishment including share of Forest Engineer in charge, Exploitation Division and his establishment	19,000	By sale of sawn timber 50,000 c.ft. at Rs. 1–12–0 per c.ft. ...	87,500
Mill running including wages and petty expenses	20,000	By sale of furniture and boxes 20,000 c.ft. at Rs. 2–12–0	55,000
Fire insurance	1,200	By sale of saw dust, waste, etc.	500
Fire wood and water ..	4,500	By recovery of expenditure on sawing 25,000 c.ft. of Nilambur teak sent to Olavakkot Saw Mill	14,300
Stores and oil consumed.	6,000		
Repairs to building ...	300		
Manufacturing charges.	3,000		
Rent of buildings ...	800		
Kiln section salaries ...	2,700		
Wages, water charges fuel, oil and stores ...	2,500		
Share of Forest Engineer's travelling allowance	400		
Specimens and sundries.	200		
Printing and stationery.	300		
Contingencies	400		
Total ...	61,300	Total ...	1,57,300

APPENDIX III.

[Vide answer to question No. 1713 asked by Mr. A. Kaleswara Rao at the meeting of the Legislative Council held on the 12th March 1929, page 26 supra.]

Extract from the answers to question No. 584 *asked at the meeting of the Legislative Council on* 12*th October* 1928.

Mr. A. KALESWARA RAO: Will the hon. the Member for Revenue be pleased to state—

(*a*) the number of acres on which inclusion fee has not been paid up to end of fasli 1337 though they were included in the ayacut of Kistna Eastern Delta;

(*b*) the number of acres out of them which have been cultivated wet by ryots on which penal assessments have been levied by Government in faslis 1337, 1336 and 1335 respectively and the total amount of penal assessments levied on them in each one of these three faslis;

* * * * *

A.—(*a*) In respect of 4,259·39 acres selected for inclusion in the ayacut subject to payment of the inclusion fee, such fee had not been paid up to the end of fasli 1337.

(*b*)—

Fasli.	Extent.	Amount of penalty.		
	ACS.	RS.	A.	P.
1337	263·36	6,422	15	2
1336	349·42	6,523	7	2
1335	434·03	3,585	13	2

* * * * *